

BEFORE THE  
CALIFORNIA BUREAU OF STATE AUDITS (BSA)

In the matter of

Citizens Redistricting Commission (CRC)  
Applicant Review Panel (ARP) Public Meeting

555 Capitol Mall, Suite 300  
Sacramento, CA 95814

THURSDAY, AUGUST 19, 2010

9:15 A.M.

Reported by:  
Peter Petty

## APPEARANCES

## Members Present

Nasir Ahmadi, Meeting Chair

Mary Camacho, Vice Chair

Kerri Spano, Panel Member

## Staff Present

Donna Neville, Panel Counsel

Diane Hamel, Executive Secretary

## Interviewees

Jeffrey Kwong

Henry J. Norton

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1 PROCEEDINGS

2 9:15 a.m.

3 MS. NEVILLE: Good morning.

4 MR. KWONG: Thank you so much.

5 MS. NEVILLE: We are going to begin with the five  
6 standard questions.

7 And the first is: What specific skills do you  
8 believe a good Commissioner should possess?

9 Of those skills, which do you possess?

10 Which do you not possess and how will you  
11 compensate for it?

12 Is there anything in your life that would  
13 prohibit or impair your ability to perform the duties of a  
14 Commissioner?

15 MR. KWONG: Thank you so much. Good morning,  
16 members of the Applicant Review Panel.

17 I think there are five discrete skills that are  
18 required of Commissioners.

19 First is networking and people skills. I view  
20 this, at the very core, an experiment in democracy. Our  
21 founders founded this country as an experiment on  
22 democracy. And this redistricting exercise is at the core  
23 of this democratic experiment to really redraw the lines  
24 so citizens can hold their legislators more accountable.  
25 If that process itself is not accountable to the

1 citizenry, then we are failing at our duty.

2 I think the first and foremost skill is that  
3 accountability to be able to speak to people from all  
4 different economic strata, to speak to them in a way -- in  
5 a diverse manner. So I think that's the first important  
6 skill, and I think I have that skill.

7 The second is to ability to understand, to  
8 communicate, and to be part of.

9 And I think the third part is really important to  
10 be part of diverse communities, and I'll come back to that  
11 on question number five.

12 The third -- and I know it's a mouthful, but the  
13 ability to learn and adopt robust standard space  
14 measurement.

15 So I want to tell you a sorry. Every time I go  
16 into the kitchen to bake brownies, it comes out a  
17 different shape every single time. I forget an  
18 ingredient. I put in the whole bar of butter, because I  
19 watched Paula Dean doing it. So it comes out a different  
20 shape.

21 And redistricting is a different type of  
22 exercise. It cannot be like Jeffrey Kwong going in to  
23 bake brownies. And reason why is first it needs to be  
24 robust standard space. We know this and we've gone  
25 through literature, Baker v. Carr, Westberry v Sanders,

1 one person, one vote, (inaudible) is unconstitutional as  
2 defined by the Supreme Court, the 14th amendment  
3 elucidating Article 1 Section 2 claims about apportionment  
4 and constitutional standards of apportionment. And Voting  
5 Rights Act Section 2, what constitutes sublation of a  
6 voting minority's rights. So I think there are robust  
7 standards driven methods that the law requires us to  
8 account for in the redistricting process.

9           And secondly, it's the idea of the measurement  
10 space. I've worked in the professional sector as a  
11 compliance analyst. I'm the certified classroom teacher  
12 in both Massachusetts and in California. And in both of  
13 those duties, I've learned to look for definitions. What  
14 constitutes, for example, equal population?

15           The whole reason why we have this exercise is  
16 because population changes. You know, the population in  
17 the city and county of San Francisco changes every day,  
18 but every ten years, we come and do the exercise.

19           But the definition or the construct of equal  
20 population is very simple. The population of the state  
21 divided by the number of districts in the state of  
22 California. That's a very easy definition.

23           But for other constructs, like compactness of a  
24 district, that's open for discussion and definition.

25           And obviously, we have those robust measures that

1 I mentioned earlier about the Voting Rights Act, Baker v.  
2 Carr, all these constitutional requirements that are upon  
3 the members of the Redistricting Commission. But it's up  
4 to us to define many of the other measures.

5 Just like how we like our brownies, whether or  
6 not we like it crunchy, chewy. We have a different  
7 definition of what compactness means.

8 And as a political scientist -- I'm a Ph.D.  
9 student in political science at UC San Diego -- I went  
10 through the definitions of what compactness means, what  
11 academics have defined compactness is, and that includes  
12 dispersion, population, parameters of the district. So  
13 it's up to the Commission to really define those. And I  
14 think as a member of the Commission, when I talk about --  
15 and again the mouthful -- robust standard space  
16 measurements, before we even touch the district lines, we  
17 should define these terms. We should define what equal  
18 population means. We should define what compactness  
19 means. We should define dispersion means, because we need  
20 to have those standards before we even do this exercise,  
21 because that's what academics do. That's what social  
22 scientists do. That's what economists do when they adjust  
23 federal rates, for example. We need to have those  
24 definitions in place. And that will ensure procedural  
25 justice as we go in and redo the redistricting maps.

1           My fourth criteria is being differential to law  
2 and ethics. We are not the Supreme Court. We are not  
3 interviewing to be members of either the California or the  
4 United States Supreme Court. We need to rely on legal  
5 experts to tell us what does Voting Rights Act Section 2  
6 mean. I do not have a JD personally and I'm willing to  
7 learn about it. But we need to be differential to that  
8 professional opinion.

9           And the fifth criterion is professional deference  
10 to other academics and other experts in the field. You  
11 know, as I'm going through JSTOR and looking at  
12 redistricting literature, it's amazing that you have  
13 statistical physicists and also neuroscientists and also  
14 geographers that are writing about political  
15 redistricting. It's not a realm that is solely relegated  
16 to political scientists. And it pains me to say that as a  
17 political scientist myself.

18           But we need to think outside the box. What does  
19 neuroscience and what does neurobiology tell us about  
20 redistricting? And how does that mirror bringing  
21 networks, for example? That's really important. And  
22 that's really interesting for us to find out. And I think  
23 we need to be open to that professional opinion.

24           Of course, driven by those robust legal standards  
25 mandated by the state constitution, state laws, and



1 obviously the federal constitution.

2 I'm ready for second question.

3 MS. NEVILLE: Panel members, just for your  
4 information, Mr. Kwong has asked for five-minute notices  
5 throughout the first period.

6 CHAIR AHMADI: I realize that. Thank you.

7 MS. NEVILLE: Describe a circumstance from your  
8 personal experience where you had to work with others to  
9 resolve a conflict or difference of opinion.

10 Please describe the issue and explain your role  
11 in addressing and resolving the conflict.

12 If you are selected to serve on the Citizen's  
13 Redistricting Commission, tell us how you would resolve  
14 conflicts that may arise among your fellow Commissioners.

15 MR. KWONG: Great. I do not study American  
16 politics. I study war, international relations as a  
17 political science student. So I think that's a little bit  
18 different, because I know you've seen other political  
19 scientist come before you. So I study war.

20 So I think there are two main types of conflict,  
21 and I think I've seen these conflict in my own life. But  
22 the two major causes of war is, first, lack of  
23 information. And we see this in World War I, one example,  
24 when the Arch Duke is assassinated and Europe immediately  
25 is in turmoil. No one knows who allies are. No one knows

1 who are the enemies.

2           And as a former classroom teacher, I see  
3 information lacking; that causing conflicts. That comes  
4 up all the time. And this comes up when students come  
5 back to me and say, "You know, why did you give me a C?"  
6 Or "Why did you give me a D on this paper? I think I did  
7 an amazing job?" And that's a very clear example of  
8 information being imperfect and that causing a conflict.

9           And way I resolve that is through a rubric. I  
10 tell the students before they turn in the paper what an A  
11 paper, what a B paper is. What a C paper. All I do as a  
12 classroom teacher after defining the standards is saying  
13 five points awarded, six points awarded for that standard.  
14 And I show them the rubric. They get a C based on that  
15 rubric. So I think that's a clear conflict that can be  
16 resolved by simply having perfect information.

17           That's how markets are driven. That's how  
18 economists say markets should be driven. And that's how I  
19 think I would resolve conflicts arising from lack of  
20 information.

21           The second type of war that often happens is the  
22 lack of hierarchical structure. We have mutinies, lower  
23 ranking generals overthrowing the president. There is  
24 lack of hierarchical structure. And I've seen that kind  
25 of conflict arise in my personal life also.

1           I was the Conference Chair of Harvard College in  
2 Asia Program, which is a program that brings hundreds of  
3 students to Harvard every single year for an academic  
4 exchange program. This is a classic story of how many  
5 engineers does it take to change a light bulb.

6           But what happened was 30 minutes before starting  
7 the conference, we had a bunch of Harvard students, really  
8 bright, they were just standing there. And the conference  
9 packets were just laid out. And I asked them, "So what's  
10 going on? Why are the conference packets not compiled  
11 together?" And they told me, "You know, we don't have the  
12 folders yet. We can't do this." And I immediately jumped  
13 into action. I was like, you know, 90 percent of the job  
14 is really compiling the papers. Once the folders get  
15 here, that really takes one minute and then the folders  
16 will be compiled.

17           It's a really simple story, but it really  
18 illustrates when leadership can make a difference,  
19 especially when it comes to events, we are on deadline;  
20 30 minutes to the conference. People need to think quick  
21 on their feet, and really leadership is required.

22           So in that type of conflict, I think I'll be able  
23 to provide leadership -- consensus-based leadership that  
24 really results in results-oriented action.

25           Ready for the third question.

1           MS. NEVILLE: How will the Commission's work  
2 impact the state?

3           Which of these impacts will improve the state the  
4 most?

5           And is there any potential for the Commission's  
6 work to harm the state? And if so, in what ways?

7           MR. KWONG: I think the Commission has huge  
8 impact on the state. We see redistricting impacting many  
9 different countries, their institutional structures, the  
10 political results that are derived from the political  
11 redistricting efforts.

12           I've come from UCSD, as I mentioned. And I'm  
13 trying to advertise it as much as possible. But a recent  
14 paper from a UCSD professor Broz Maliniak 2010 found that  
15 malapportioned states -- malapportionment is when rural  
16 districts are more over-represented, because they have  
17 less population density, but more massive areas. So rural  
18 areas are more likely to be over-represented in state  
19 Legislatures. So they found that malapportionment states  
20 had lower gas taxes. And the reason why is because you  
21 have more rural representatives and rural people use more  
22 gas and they drive longer distances, those countries that  
23 have more malapportioned Legislatures had lower gas tax.

24           They also ran a very simple algorithm and they  
25 found that those same exact countries took longer to

1 ratify the Kyoto Protocol and they adopted less  
2 environmental regulations. So from a very simple  
3 illustration of rural malapportionment, it shows it has  
4 huge impacts, even up to international treaty  
5 ratification. So I view that the Commission's role is  
6 really important and has really massive impact on the  
7 state.

8           And I think on a personal -- you know, my family  
9 came to this country in the 80s fleeing communism fleeing  
10 from the non-democratic system. At the heart of this  
11 exercise is a democratic exercise. And as American, I  
12 believe and I wrote in my essay political philosopher  
13 Adam Smith says there are intrinsic and instrumental  
14 benefits to democracy. The intrinsic benefits is we  
15 really believe that at the ballot box we can hold our  
16 legislators accountable, that we know that the  
17 agglomeration of views at the ballot box, even though it  
18 is often viewed by the media as a crazed mass going to the  
19 ballot box who don't know what we're doing, but at the  
20 end, we actually produce a result that everyone is  
21 satisfied with, because we believe that democratic  
22 procedures are fair and consistent and provide a clear  
23 winner.

24           They're also instrumental goals that can be  
25 reached through this exercise, and that's instructing our

1 young people. What does democracy mean? What does  
2 redistricting mean? What do political parties play in the  
3 process of redistricting? I think believe this is an  
4 educational exercise, too, for the citizens of California.  
5 And what are the potential harms?

6 I worked as summer compliance analyst at Goldman  
7 Sachs, and one of first things they told us is there are  
8 three things that are important to a business: There are  
9 people, assets, and professional reputation.

10 The first, two people and assets, come and go.  
11 We gain people; we lose people. We lose assets every  
12 single all day.

13 But the third, our professional reputation, if  
14 it's lost or tarnished, that is the hardest to regain.

15 And I think that really strikes me as something  
16 that is a potential harm to the work of the Citizens  
17 Redistricting Commission. In the case that our  
18 professional reputation is harmed in any way, shape, or  
19 form, either by the unethical behavior of Commissioners or  
20 lack of deference to legal advice that will irreparably  
21 harm the work of the Commission. And I think that's a  
22 potential harm.

23 MS. NEVILLE: Describe a situation where you've  
24 had to work as part of a group to achieve a common goal.  
25 Tell us about the goal, describe your role within the

1 group, and tell us how the group worked or did not work  
2 collaboratively to achieve this goal. If you're selected  
3 to serve on the Commission, tell us what you would do to  
4 foster collaboration.

5 MR. KWONG: Thank you.

6 I think it's at the end of the day, we need to  
7 pass a redistricting plan that has satisfied all three  
8 sub-groups of the Redistricting Commission: Democrats,  
9 Republicans, and Independents.

10 I'm a registered Republican. I've worked  
11 throughout my life and I've been affiliated with  
12 Republican organizations. But I've been able to do this  
13 in a bipartisan fashion. I started in eighth grade  
14 volunteering for a Democrat, a supervisor in the city and  
15 county of San Francisco. And it's notable that one of my  
16 recommendation letters comes from the Chairman of the San  
17 Francisco Democratic party. I've been able to work in a  
18 city that's overwhelming Democratic, the city and county  
19 of San Francisco.

20 And to illustrate how I was able to achieve  
21 common goals, when I was in college, I was part of the  
22 leadership of the Republican Club and Right to Life, two  
23 really, really polarizing organizations. No matter how  
24 you see it, these are two issues that are rabid,  
25 essentially in a college campus. People tear down

1 posters. People throw hate speech at you. I've had all  
2 that come to me. But I was able to achieve common goals.

3 I was the first gay person elected as an officer  
4 of the Republican Club. And I was able to reach out to  
5 LGBT groups, women's groups, African American groups. I  
6 had the first time the all-white Board, plus me. I was  
7 the only minority on the Board in a roundtable discussion  
8 with the Black Students Association discussing welfare  
9 reform, one of the most contentious issues facing the  
10 African American community and stigmatizes the Republican  
11 party to this day.

12 With Right to Life, for example, I reached out To  
13 the women's groups. I say, there are common goals,  
14 prenatal services, babysitting services. Why does our  
15 university not provide adequate after-school care for  
16 children on campus? I think that's a common goal that we  
17 can reach.

18 And we did that. We did that. We got the  
19 university to provide more baby care services. We got the  
20 university to clarify it's prenatal services, health  
21 services for students. With the Democrats, we had an  
22 annual bipartisan paintball tournament, which we were able  
23 to hold to great success. And we also sponsored a platoon  
24 together in Iraq and we put together care packages. So  
25 these are really concrete ways that I've been able to seek



1 actively a common goal.

2           And in regards to deadlines and reaching  
3 deadlines, I've worked 80, 90 weeks at Goldman, as a  
4 teacher, printing out report cards. There are clear  
5 deadlines and life is about deadlines. And that's  
6 something that my parents have imbedded in me at a young  
7 age.

8           Most recently, just a week ago, I finished the  
9 20th annual Ms. Asian American Pageant. I'm the executive  
10 director of the Ms. Asian American Pageant. You cannot  
11 know how stressful running a live show is. The judges are  
12 judging. I'm running the ballots to the tabulations team,  
13 which is a certified accounting agency, by the way. And  
14 running it back on stage. Having people, performers on  
15 stage left. Having contestants on stage right. It's  
16 about managing a schedule. It's about managing  
17 priorities. And it's asking the question where does the  
18 buck stop. And we need a hierarchical structure that  
19 determines that. I've been able to do that while doing it  
20 in a consensus-driven way and achieving a common goal.

21           As a Commissioner, I'll be interested in adopting  
22 the efficiency matters, whether it's online applications.  
23 These are things I've done in my professional life, by the  
24 way. Doing hostile environments, sexual harassment  
25 trainings online, using simple things like Google calendar

1 or Doodle to schedule appointments to make life easier for  
2 a team of 300, for example.

3           These are ways that I would improve the  
4 Commission's workload so that we can reach deadlines.

5           Final question. How many more minutes do I have?

6           MS. HAMEL: Minute and a half.

7           MS. NEVILLE: I'll speak quickly.

8           A considerable amount of the Commission's work  
9 will involve meeting with people from all over California  
10 who come from very different backgrounds and very  
11 different perspectives. If you're selected to serve on  
12 the Citizens' Redistricting Commission, tell us about the  
13 specific skills you possess that will make you effective  
14 at interacting with the public.

15           MR. KWONG: I think my own story is a story of  
16 being able to live the diversity of the state, you know.  
17 My parents came to this country in the 80s. I grew up in  
18 San Francisco Chinatown. I grew up not learning a single  
19 word of English until I was five years old. My father is  
20 a construction worker to this day. My mother was a  
21 seamstress and has been unemployed for five years from her  
22 garment factory. My parent to this day earn less than  
23 \$25,000. They still do not speak a single word of  
24 English.

25           When I went to college, there was so many things

1 that were amazing that I did not know about. At the  
2 freshman orientation, for example, this was a story I  
3 thought about yesterday night. I ate brie cheese for the  
4 first time. And I know this sounds funny, but I never ate  
5 that growing up. And, you know, when I mention, I said,  
6 "How do I eat this? How do I eat this?" And my roommate  
7 said, "You just eat it on a cracker." And I thought to  
8 myself, you know, so many immigrant kids do not have this  
9 experience. And they don't know. And they might be  
10 ridiculed going to college.

11 MS. HAMEL: Time.

12 VICE CHAIR CAMACHO: I'd be willing to have him  
13 finish using some of any time.

14 MS. NEVILLE: Go ahead.

15 MR. KWONG: So during my teaching credentialing  
16 process and I was teaching about the French Revolution,  
17 that was one of my first activities. We had an  
18 enlightenment salon. I brought in apple cider and brie.  
19 And the kids, 80 percent African American, Latino, free  
20 and reduced lunch, they had brie cheese for the first  
21 time, but in an educational environment so they can learn  
22 about it.

23 And really I think -- I go back to question one  
24 when I said it's not about having a few flyers and saying,  
25 hey, the African American community, come to our meeting.

1 It's really about living that diversity. It's about going  
2 into the poorest neighborhoods.

3           When I was working with the Board of Supervisors,  
4 I interpreted hundreds, dozens of meetings. I went to the  
5 Bay View-Hunters Point to do budget meetings. It was a  
6 Super Fund waste land, you know, left by the Navy. And  
7 all these Chinese immigrants, African Americans, residents  
8 came to the meetings, and I bridged that language divide.

9           And I mentioned this in the application. Part of  
10 the reason why I learned these languages was I started in  
11 government service working in the public library. I was a  
12 teen reading, a volunteer at twelve years old. One day a  
13 grandmother came up to me and asked me to read her Part D  
14 Medicare prescription letter. She didn't know a single  
15 word of English. I interpreted it for her. That's what  
16 inspired me to start doing Board of Registration, getting  
17 involved in my community, volunteering for my local  
18 supervisor, and also learning languages, because I felt  
19 that was a divide.

20           So throughout high school, I took Spanish in high  
21 school. I bussed an hour every day to go to U.C. Berkeley  
22 to learn Korean. I went to city college after school to  
23 learn Japanese. And I continue to go to Chinese school  
24 when I graduated in Chinatown Chinese high school. So I  
25 really feel that I really embrace the state's diversity.

1 I think I'm the only Chinese American Gay Republican  
2 earning less than 35,000 Catholic that I know out there.  
3 It's really a story that's only possible in California.  
4 And I'm really appreciative of what the state has given  
5 me.

6 MS. NEVILLE: Thank you.

7 Mr. Ahmadi, your 20 minutes.

8 CHAIR AHMADI: Thank you.

9 For the record, I believe we started the meeting  
10 at 91:5. I don't think you mentioned that, Donna. I just  
11 want to say for the record.

12 Good morning, Mr. Kwong.

13 MR. KWONG: Good morning.

14 CHAIR AHMADI: Most of my questions will be  
15 follow-ups on what I just heard from you.

16 MR. KWONG: Sure.

17 CHAIR AHMADI: So please bare with me. And I'd  
18 like to get more specifics to make sure I understand the  
19 information that you shared with us.

20 MR. KWONG: Sure.

21 CHAIR AHMADI: In response to question number  
22 one, you mentioned that one of the skills that you bring  
23 to the Commission will be to define some of the standards  
24 for the Commission, such as compactness. I have a few  
25 follow-up questions on that.

1           MR. KWONG:   Sure.

2           CHAIR AHMADI:   Number one -- and please be  
3 specific in your response.   Why do you think -- why do you  
4 think the Voting Rights Act or the state laws or other  
5 such criteria the state has did not attempt to define the  
6 standards in a structured way?   Why do you think the state  
7 laws or federal laws left it open for interpretation?

8           MR. KWONG:   I think in the legal process -- let  
9 me address it in a couple of ways.

10          First, in the legal process, when the courts  
11 define something, they are looking at something very  
12 legally narrowly tailored.   So, for example, when it comes  
13 to racial gerrymandering, they're looking at a specific  
14 district, because first you have to have a plaintiff that  
15 feels harmed by the redistricting plan that goes to court.  
16 And the case has to whittle all the way up to the higher  
17 courts.   So it's a very narrowly defined measure that the  
18 court is actually ruling on.

19          Is this plan constituting racial gerrymandering  
20 or racial packing?   And does it violate -- so I think from  
21 the legal definition, there's only so much that we know of  
22 what the court has defined, because the court has defined  
23 very specific cases in South Carolina, for example, or in  
24 Texas, for example.   And to see whether or not that has  
25 predictive validity for other states or other

1 redistricting plan, I think we still have to be  
2 deferential to the courts.

3 I think the Voting Rights Act and the way it's  
4 defined, it clearly is up for definition. What does  
5 African American communities or discrete minorities that  
6 they have equal rights to participate in the electorate.  
7 What does that mean? And it's up for constant  
8 interpretation.

9 That goes back to my first skill of networking  
10 and people skills. Not only do we have to network and  
11 have communication skills that are effective with the  
12 citizens of the state, but those skills are also necessary  
13 with working with the Department of Justice. So I really  
14 view in the process of validating redistricting plans, we  
15 need to be able to have clear channels of communication  
16 with the Department of Justice.

17 Will this plan survive your definition of the  
18 Section 2 of the Voting Rights Act? Your definition of  
19 gerrymandering on the basis of race? Is this violative of  
20 equal protection clause protections of these discreet  
21 minorities groups? There are additional protections.

22 CHAIR AHMADI: I'm sorry for interrupting. I  
23 just make sure that I remember all the questions I have.

24 Did I hear you say that you will be asking a  
25 question about -- I'm using your words -- your definition

1 of Section 2. Did I hear you correctly?

2 MR. KWONG: Not my definition. This goes back to  
3 my qualification number 4 being differential to legal  
4 experts. I do not -- what I know --

5 CHAIR AHMADI: I mean -- I'm sorry. Let me just  
6 correct my question.

7 As part of your description of why -- my question  
8 was about why do you think the laws did not attempt to  
9 define a specific definition to make it a structured  
10 definition for some of the criteria that you stated in  
11 response to question number one? My question was: Why is  
12 that? Why did the law leave it open to interpretation?

13 MR. KWONG: Please feel free to re-guide my  
14 answer.

15 I think it was written in the civil rights era  
16 where you had southern district that either packed African  
17 Americans in one district that would dilute their equal  
18 representation in either the State Legislature or U.S.  
19 Congress or you have a dispersion plan where you have  
20 written out into majority white districts so that they  
21 don't have any representation in State Legislatures or  
22 U.S. Congress. So I think it was written specifically for  
23 that era and that stage. Obviously, it has modern day  
24 implications for us. And Congress has updated it in 1975  
25 to add language minorities, for example, Asian Americans,



1 Latinos to the Act, because originally the Act was defined  
2 to protect African American communities.

3 CHAIR AHMADI: Let me stop you. Let me make sure  
4 that I understood your response to question number one.

5 Could you be specific in terms of your response:  
6 What standards do you think meet the definition? Just  
7 name those standards for me, please.

8 MR. KWONG: I think compactness. You know, we  
9 have the legal base -- you know, what the constitution  
10 requires us, what the Voting Rights Act requires us of  
11 redistricting, what state law requires us that geographic,  
12 you know, base redistricting. State law has requirements  
13 for redistricting. Equal population is a requirement for  
14 districting.

15 But in addition to that, what requires definition  
16 is ideas of compact, geographic dispersion, population  
17 dispersion. What is the Commission comfortable with  
18 having population density as a criteria and how do we  
19 define population density? Let me give you a case, for  
20 example, you know --

21 CHAIR AHMADI: Can I -- our time is limited, and  
22 I just want to make sure that -- I'm sorry for stopping  
23 you again.

24 So you mentioned compactness. What is your  
25 definition of compactness? How would you define

1 compactness?

2 MR. KWONG: I do not have a definition of  
3 compactness. What I mentioned, I quoted in academic  
4 literature in a 1990 article in the Niemi et al. And I  
5 want to underline this. I'm deferential to legal experts,  
6 to academic opinion. I'm a citizen of the state. You  
7 know, I do not expect us to be legal experts at all.

8 But we need to be open-minded to all sorts of  
9 literature. And in the one literature that I was looking  
10 at, this author defined compactness as dispersion,  
11 perimeter, and population. And under each one of these  
12 three definitions had additional suggestions for what, you  
13 know, population meant. Are we comfortable with a city,  
14 you know, being 50 percent of a district that's surrounded  
15 by a suburb? Is that the geographic gravity that we want  
16 in a compact district? So that's up for discussion.

17 And I don't think the Voting Rights Act or the  
18 constitution tells us what geographic gravity -- how much  
19 that city's center should sway the district tells us. And  
20 I think that's up for definition. And that's why we need  
21 a diverse Commission to tell us.

22 And I'm going to school in San Diego right now,  
23 for example. And I went to Imperial County, which is one  
24 of the poorest and lowest populated counties in the state.  
25 Many times, Imperial County is drawn right into San Diego,

1 because it is geographically close to one another and it  
2 both borders Mexico. But to have, you know, one of the  
3 richest counties and one of the poorest counties drawn  
4 together, is that fulfilling our definition of parameter  
5 or dispersion or population? I don't know. It doesn't  
6 violate the Voting Rights Act. It doesn't violate the  
7 U.S. Constitution to draw Imperial County with San Diego,  
8 because they are close to each other. They have closely  
9 linked Latino populations, for example. But are we  
10 comfortable with that and what construct for the  
11 definition of compactness are we able to accept?

12           So to answer your question, I have to ask a  
13 question. And that's do you have really open and honest  
14 discussion that is driven by statistics, that is driven by  
15 math, that is driven by experts, because we really in  
16 order to get the citizens to accept this plan, we need to  
17 have legitimacy for the plan.

18           CHAIR AHMADI: Okay. Thank you.

19           MR. KWONG: I hope I answered your question.

20           CHAIR AHMADI: Well, I have a follow-up question.  
21 So at the end I hope you would be answering the questions.

22           Let's say that at the beginning of the  
23 Commission's work, when the Commission starts its work,  
24 the Commission hires a consultant, legal consultant. And  
25 the legal consultant advises the Commission what

1 compactness should mean and how it should affect the  
2 decisions of the Commissioners. And let's say that you  
3 agree with that definition.

4 Two follow-up questions on that.

5 How would you comply or ensure that you're in  
6 compliance with that definition?

7 And number two, the second follow-up question  
8 that I have is to what extent do you think that defined  
9 the standard will limit your decisions?

10 MR. KWONG: First, I don't think that's the way I  
11 would advocate us hiring a legal consultant. Just as a  
12 Supreme Court has two wings and they can't figure out what  
13 the law means, why should one legal expert be able to  
14 figure out what the law means?

15 I would suggest to the Commission when we are  
16 hiring legal consultants to find two consultants that are  
17 really -- or a number of consultants that really have  
18 polarized different views about what compactness means.  
19 And the court, the Supreme Court in opinion after opinion  
20 says the law is about the marketplace of ideas. We really  
21 need to have a marketplace of ideas in this redistricting  
22 process. And I will suggest hiring multiple legal  
23 consultants that have those different views, because we  
24 need to hear those different views to make a decision. So  
25 I would not advocate for hiring just one legal consultant.

1 CHAIR AHMADI: How many would you hire?

2 MR. KWONG: I think budget constraints is the  
3 number one constraint on this process. But I would at  
4 least hire two that has different and polarizing views.  
5 Preferably two of different -- you know it's --

6 CHAIR AHMADI: Two different legal counsels?

7 MR. KWONG: Two different legal counsels.

8 CHAIR AHMADI: With different ideologies?

9 MR. KWONG: It's disingenuous to say that legal  
10 counsel -- I'm sure in Sacramento -- I'm not familiar with  
11 Sacramento. The legal counsel are all linked to one  
12 account or another account. I would try really try to  
13 find two legal counsels or multiple legal counsels that  
14 would represent really different views. And I think  
15 that's beneficial for the Commission, because we really  
16 need to rely on different opinions.

17 CHAIR AHMADI: Could you be specific about  
18 varying views --

19 MR. KWONG: Sure.

20 CHAIR AHMADI: -- by legal counsel? Why is that  
21 important? How would that impact your decision?

22 MR. KWONG: Well, from a constitutional legal  
23 perspective -- constitutional perspective, there are  
24 strict constructions, for example. There are those that  
25 believe that the Voting Rights Act is the living breathing

1 document that should adapt to the times, that should  
2 protect new discreet minority groups. There are those  
3 that don't think so.

4           So I think to have that varying opinion in our  
5 legal team is really beneficial. And I think ultimately  
6 also in addition to whoever we hire, I think we should be  
7 in constant communication with the Department of Justice,  
8 with the legislators as allowed by Commission ethical  
9 guidelines, of course.

10           Because I really think -- the idea is not to  
11 restrict it to a nonpartisan position. We are not running  
12 the NPR political commentary segment. We are running an  
13 exercise that ultimately will be up for a lot of political  
14 scrutiny and to have more ideas out there. To have a more  
15 expensive marketplace of ideas, in my opinion, is  
16 beneficial to the Commission's work. It shows that we are  
17 transparent. It shows that we identify specifically that,  
18 yes, you represent the Democratic opinion. You represent  
19 the Independent opinion. You represent the Republican  
20 party. That's fine. Please identify yourself. Please  
21 state your opinion. We want to hear expansive opinions.  
22 And to just say we are looking for legal counsel that has  
23 no partisan affiliation I think is disingenuous and I  
24 don't think that exists other than on NPR segments that --

25           CHAIR AHMADI: So how do you judge what is

1 impartial and what is not? Because I heard you say

2 MR. KWONG: I think too --

3 CHAIR AHMADI: Let me just finish.

4 Not everybody has the depth of legal knowledge.

5 It's not necessary, because the law -- that's the reason

6 the law allows the Commission to hire legal consultants

7 and any other contractors or service providers that they

8 need.

9 So as a Commissioner, given that not all

10 Commissioners will have the depth of legal knowledge, how

11 would you make a judgment about what is impartial and what

12 is not from a legal perspective when you have two

13 different legal counsels provide, let's say, the same

14 opinion? How do you know that is the correct opinion?

15 MR. KWONG: I think there are clear ways of

16 defining impartiality. Financial interests, forms 700,

17 interest. I think the members of the Commission should

18 have those no springs attached to any political interest

19 kind of impartiality.

20 But when it comes to evaluating opposing teams of

21 opinions, I think compromise, consensus-driven decision

22 making --

23 CHAIR AHMADI: Compromise in what way?

24 MR. KWONG: As a Commission discussing, taking in

25 public opinion, taking in different sorts of opinion, and

1 discussing as a Commission in open meeting what the final  
2 results should look like.

3           There isn't such thing as -- the product will  
4 never be impartial to all Californians. The final product  
5 will offend some, definitely.

6           But we need to have a process that is open to all  
7 sorts of ideas, have discussions in open meetings, and  
8 have a consensus-driven process.

9           I still feel like I'm not answering your  
10 question. I apologize.

11           CHAIR AHMADI: You're helping me. I appreciate  
12 that.

13           Because I have only five minutes, I have  
14 follow-up questions. But I have other questions that I  
15 also wanted to go over.

16           I'm really impressed with your activities at this  
17 stage of your life. You have been the Executive Director  
18 of Ms. Asian, Inc., graduate student researcher, Library  
19 Citizen Advisory Committee. You have worked in Hong Kong  
20 I believe. You have also been an intern on the  
21 San Francisco Board of Supervisor for over four years.  
22 And you worked while you were student at Harvard. And I  
23 can go on with a few additional activities you have had.

24           Which one do you like the most and why?

25           MR. KWONG: Teaching. And I went



1 through -- while I was an undergraduate, I went through  
2 the teaching credentialing program at the graduate school  
3 of education. I was an intern teacher for a year and a  
4 half. And during one of those years, I was a classroom  
5 teacher where I instructed honors world history. There is  
6 nothing more motivating to me.

7 I really believe -- let me add this as a sixth  
8 specific skill I believe Commissioners should have is  
9 having that ideal. Having a higher purpose that is not  
10 financial, that really -- you know, you want to create a  
11 better society.

12 And I really thought that when I was teaching --  
13 and I still teach. I'm a teaching assistant at UCSD --  
14 that teaching is our opportunity to impact the youth to  
15 give them better English skills, math skills, and I think  
16 that higher purpose really drove me to wake up every  
17 morning.

18 CHAIR AHMADI: Okay. Thank you. Do you have a  
19 teaching credential?

20 MR. KWONG: I do. I'm credentialed in  
21 Massachusetts and also in California.

22 CHAIR AHMADI: Okay. I think this is my last  
23 question, but tell us what are some of the California  
24 communities you would expect to encounter as a  
25 Commissioner? How would you use your life experiences to

1 further the goal of the Commission?

2 MR. KWONG: Sure.

3 On a personal level, I think I come from  
4 San Francisco. I've lived, raised, born in the city and  
5 county of San Francisco. I think San is a really  
6 illustrative case of the communities of the state: Latino  
7 population, African American population, the growing  
8 Asian-American population. I think there are new discrete  
9 minority in groups in California that remain  
10 underrepresented, in particular, the LGBT community. The  
11 LG community right now, for example, is split down Castro.  
12 You know if you've been to San Francisco, Castro is the  
13 gay community. Castro is split into two districts.

14 Now, is that fair to represent the diverse  
15 interest of the LGBT community? There's intense, intense  
16 debate within the LGBT community itself. Some say it's  
17 beneficial. The LGBT community can exercise its power in  
18 both districts. Some say it disburses the political power  
19 of the LGBT community.

20 And I think as we do go into these communities,  
21 it's important to hear both sides. There's no such thing  
22 as the Asian-American perspective. There's no such --  
23 even within the Chinese-American community, there are so  
24 many varying opinions.

25 So I think to have that outreach effort -- and I

1 would go to different communities every single meeting  
2 starting -- list the areas this we want to visit. And  
3 then we draw out of the hat, first meeting, central coast.  
4 Second meeting, San Diego. Third meeting you know,  
5 Eureka. So I think to have the Commission rotate, to have  
6 diverse representation, and to be open to different types  
7 of communication.

8 Just also to add, as executive director of the  
9 Ms. Asian-American pageant, I have media contacts with  
10 Korean Times, Japanese news, Filipino news, all the  
11 statewide media. So I think working with the media is  
12 crucial to achieve outreach.

13 CHAIR AHMADI: Thank you.

14 I wish I had more time the talk to you, but no  
15 more questions at this point.

16 MS. NEVILLE: Thank you.

17 Ms. Camacho.

18 VICE CHAIR CAMACHO: Hello, Mr. Kwong.

19 MR. KWONG: Good morning.

20 VICE CHAIR CAMACHO: Good morning to you, too.

21 I just have a few -- I want to start off with a  
22 few questions I'd like to better understand. One of the  
23 answers that you stated was that the redistricting should  
24 be to satisfy all three groups. Could you kind of explain  
25 why they would need to satisfy all three political groups?

1           MR. KWONG: Okay. Well, what I meant by that is  
2 the statutory requirements that it needs to pass. All  
3 three groups on the Commission ultimately needs to approve  
4 the plan for the plan to go through. And that's what I  
5 mean. So I think because with that goal in mind, I think  
6 the Commissioners should work in tandem, in consensus  
7 driven.

8           You know, there will be give and take. And I  
9 think that's what we want to know, is at the end of the  
10 day, all three groups need to approve the measure. And  
11 with that goal in mind, I think that will help the  
12 Commission be consensus-driven and compromise-driven.

13          VICE CHAIR CAMACHO: Just to gain a better  
14 understanding for me with Mr. Ahmadi's question, you were  
15 talking about having more than one legal counsel and  
16 having legal counsel that has a Democratic view and a  
17 Republican view. Have you ever been --

18          MR. KWONG: I didn't -- I said multiple views.  
19 You didn't specify Democratic or Republican.

20          VICE CHAIR CAMACHO: With these multiple views.  
21 Have you ever been in an organization or, you know, with  
22 your personal or professional experiences that had that  
23 type of environment? And how did that benefit you?

24          MR. KWONG: While I was at Goldman, that's when  
25 the financial crisis really came into play. You know, the

1 federal government were putting together short sell rules,  
2 for example. Naked sales all these different rules were  
3 coming down. And the compliance team was in charge of  
4 complying with these measures.

5           And I remember this huge debate in a boardroom.  
6 We had VPs, managing directors, and entry level analysts  
7 like myself in that room, and we were discussing what do  
8 we need to implement in order to follow the law.

9           And I think what happened towards the end of the  
10 discussion, there was intense debate of what the law  
11 meant, what making sure making naked sales meant, for  
12 example. These were complex financial instruments, and  
13 every single one had a different view of what the law  
14 meant, what the regulation meant, what it meant in terms  
15 of updating the computer system to making sure we're  
16 filling out the correct forms, making sure transactions  
17 were covered. Really intensely divided views.

18           I think the one uniform standard -- and this was  
19 a standard that we adopted in the meeting -- is that we  
20 need to not only follow the letter of the law, we need to  
21 follow the spirit of the law.

22           So despite the opposing views, I would be looking  
23 for counsel that have no black marks, that are highly  
24 recommended either by the community, by different  
25 political parties that have consensus that they are driven

1 to not only follow the letter of the law and advise based  
2 on the letter of the law, but also on the spirit of the  
3 law.

4 And all these things are up for interpretation,  
5 obviously. But I think with the diverse Commission, the  
6 diverse backgrounds, we can sniff it out. You know, it's  
7 hard for me to say it without concrete cases in front of  
8 me.

9 I don't know if I answered your question.

10 VICE CHAIR CAMACHO: Don't worry. I have a  
11 follow-up question with that.

12 So how do you think having more than one legal  
13 counsel would help if that legal counsel is following the  
14 letter of the law?

15 MR. KWONG: You know, I think -- I don't know  
16 what the statutory requirements for hiring legal counsel.  
17 I'm sure there are hiring guidelines, what the state  
18 allows, due diligence, compliance efforts to check out of  
19 the credentials of legal counsel.

20 What I mean is we really need to have a diverse  
21 opinion. You know, some of us have talked about  
22 geographic information systems. There are so many GIS  
23 packages out there. We should not just buy one GIS  
24 package to do the redistricting process. There are going  
25 to be different algorithms in these GIS packages,

1 different ways the package is set up to detect racial  
2 gerrymandering. There are different ways these packages  
3 are used to calculate population. Some might be using a  
4 different raw census data. Another might be using -- so  
5 there are -- just like as we are shopping for GIS  
6 information packages and hopefully buying more than one,  
7 you know, because I think that's fair and we should have  
8 an open process. Same with legal counsel. We should have  
9 multiple views.

10           And it might not mean that we need to hire a  
11 legal counsel. We might rely on a Bureau of State Audits  
12 legal counsel. But we have invited to meetings constantly  
13 multiple viewpoints.

14           VICE CHAIR CAMACHO: So what you're saying is --  
15 just so I understand -- is that with the legal counsel and  
16 with these software programs, there should be research in  
17 them before purchasing them? Because you know the state  
18 of California and the budget and there's only a limited  
19 amount of funds.

20           MR. KWONG: Absolutely.

21           VICE CHAIR CAMACHO: How do you see that with  
22 only having a certain amount of funds to be able to do  
23 what you're requesting?

24           MR. KWONG: Sure. I think there should be a  
25 budgeting process at the offset of the Commission's work

1 where we determine our priorities accordingly. And this  
2 might mean we want to devote more money into marketing to  
3 diverse communities or we want to devote more money into  
4 GIS software packages. We really need to have an open  
5 discussion about that.

6 But I really think that, you know, legal opinion  
7 is necessary to do the Commission's work and to have  
8 effective multi-faceted legal opinions. We really need  
9 that. The Supreme Court -- every single Supreme Court  
10 justice has more than one clerk. And some justice have  
11 been known to have when they interview for clerks have  
12 them debate against each other and hire the two that have  
13 opposing polarizing views, because they know that will  
14 shape them shape their final opinion.

15 And I think that open and transparent process of  
16 looking for the truth is very important for the  
17 Commission's work and will happen us speak to the voters,  
18 because we are ultimately accountable to the citizens of  
19 California.

20 VICE CHAIR CAMACHO: Thank you.

21 As a first generation Californian of Asian  
22 ancestry, tell us how your experiences will allow you to  
23 understand and appreciate the experiences of other  
24 minority communities.

25 MR. KWONG: I think through my own personal life.



1 In professional realms and also going to school, teaching,  
2 that has allowed me to embrace other cultures. For  
3 example, I went to an elementary school that was in  
4 Mexican parish. Our Lady of Guadeloupe Parish. And every  
5 single year, we had a Mariachi band on the feast day of  
6 our lady of Guadeloupe.

7 I taught students that were pulled out of the  
8 classroom because their parents had to go to California,  
9 because it was strawberry-picking season. And in the  
10 beginning, I would fight with the parents. I'm like, "You  
11 really need -- one of the parents need to stay in  
12 Massachusetts so that your kid can continue their  
13 education." And they told me, "No, really our family unit  
14 is really important. He makes this journey every year  
15 with us during strawberry picking season to California and  
16 we transfer schools."

17 And really having that diverse, you know,  
18 experiences in life have helped me understand people come  
19 from really different backgrounds, and I think I'm able to  
20 embrace that, to understand that.

21 Within the Asian American community, I think it's  
22 really not correct to assume it's one homogenous group.  
23 For example, in Congress, when I was at the White House,  
24 we had Asian American groups that were bitterly divided on  
25 immigration policy. We had the South Asian communities

1 that were for technology visas, because they were college  
2 educated, college graduates. Whereas, the East Asian  
3 communities were for family re-unification visas. So that  
4 is simple issue where the Asian American community is  
5 clearly divided on. I think to listen to all sides of  
6 opinions is really necessary for the Commission's work.

7 VICE CHAIR CAMACHO: Thank you.

8 You taught at -- I'm thinking it's Massachusetts  
9 at the Cambridge Rindge and Latin high school.

10 MR. KWONG: Yeah. Matt Damon went there.

11 VICE CHAIR CAMACHO: Oh, wow.

12 Can you tell me about the student population that  
13 you taught?

14 MR. KWONG: It was 60 to 80 percent African  
15 American/Hispanic. Half the students were below grade  
16 level in English reading and writing skills.

17 And just to illustrate, when I went into the  
18 classroom, I identified the goals. And I think this is  
19 illustrative of the way I work. The first day, a writing  
20 assignment, reading assignment and immediately I  
21 diagnosis, you know, what were the major issues, what were  
22 the major problems. And the first thing that came up with  
23 was writing skills. So for every single night during the  
24 entire semester, they wrote 350 to 450 words for me  
25 answering an essay question. And at the end of the year,

1 over 80 percent of them passed the school-wide world  
2 history exam.

3           So I'm a goals-based person. I really am driven  
4 by finding out what the problem is, diagnosing the problem  
5 and really finding a way to resolve that problem.  
6 Utilizing the librarians and utilizing my mentor teacher,  
7 utilizing Harvard tutors, for example, and helping  
8 students succeed. So I think that's something that  
9 permeates my academic work right now and my professional  
10 work and my extracurricular work also.

11           VICE CHAIR CAMACHO: What class did you teach at  
12 the high school?

13           MR. KWONG: World history honors.

14           VICE CHAIR CAMACHO: World history honors?

15           MR. KWONG: World history honors. So there's  
16 different levels of students. The students were divided  
17 into college prep, honors and AP. So I taught the middle  
18 level of the students. So --

19           VICE CHAIR CAMACHO: Okay. And -- sorry for  
20 interrupting you.

21           And your students that you taught were divided  
22 between Hispanics and African Americans?

23           MR. KWONG: African Americans, new Asian  
24 immigrants and white students also. So it was really  
25 diverse classroom.

1           To illustrate, the year that I taught there,  
2 there was a drive-by shooting that killed someone in my  
3 home room. A sister of someone in my home room. We had a  
4 mother that was killed also in of a student in our  
5 classroom. So there were very difficult circumstances  
6 surrounding the classroom.

7           And, you know, teaching is really an exercise  
8 where you make a thousand decisions in a given minute,  
9 responding to the student's reactions, making sure that  
10 you're reaching your days's lesson goals. Making sure  
11 you're moving them along in terms of maturing as young  
12 adults, in terms of academic progress. So it was really a  
13 learning experience for me.

14           VICE CHAIR CAMACHO: How did you relate to your  
15 students? And also were there other very unique  
16 circumstances with your student population?

17           MR. KWONG: I really think there are clear  
18 boundaries in the classroom, but at the same time, I  
19 visited homes. I talked to parents. We had -- like  
20 during the first week of school, I called every single  
21 home to introduce myself, to make sure there is an open  
22 line of communication.

23           Especially for parent/teacher conferences -- to  
24 illustrate the need for the Commission to reach out to  
25 underrepresented communities. It was always the parents

1 of students that you really wanted to see that never  
2 showed up at the parent/teacher conference. And  
3 regardless of how many e-mails you send them, how many  
4 school notices you send back with the kid, they don't show  
5 up to the parent/teacher conferences.

6           And really this is what I mean by living that  
7 diversity. You have to go to those homes. You have to  
8 call them at their work places to talk to them about the  
9 student's progress. You have to make that extra effort.  
10 Diversity doesn't just happen because you say we welcome  
11 diversity. It happens when you go down and you meet them  
12 at their neighborhood, meet them at their home, and really  
13 be part of that diversity.

14           VICE CHAIR CAMACHO: Now, was there specific  
15 reasons why you had to maybe go to some of the various  
16 parents' homes and they didn't show up that you  
17 identified?

18           MR. KWONG: There were obviously linguistic  
19 barriers. For example -- and really I would rely on  
20 community resources. I had two students in my classroom  
21 that spoke Haitian Creole. My godmother is Haitian. So I  
22 literally went to my godmother, handed her the cell phone,  
23 and I say, "Please tell you know Ms. who and who that her  
24 kid has not turned in homework for two weeks. And I don't  
25 know what I can do to make sure that either the home

1 environment or the after school environment can be improve  
2 so that your child can do his or her homework."

3           So it's about reaching to these diverse sources,  
4 classmates, room mates that spoke Spanish that help me  
5 translate, for example, into Spanish. So it's really  
6 about reaching out to really unique and diverse resources  
7 and making sure that you reach these communities, because  
8 at the end of the day, you know what lies ahead. Success  
9 and graduation from college means all sorts of different  
10 socioeconomic impacts on this child's life. The future is  
11 impacted. There is a direct correlation between high  
12 school graduation and future success, whether it's income,  
13 important to actually live freely, you know. The chances  
14 of a student getting incarcerated if they do not graduate  
15 from high school or drop out from high school are so much  
16 higher. And you know that. And that's in the back of  
17 your mind, and that's driving you to make that extra  
18 effort.

19           VICE CHAIR CAMACHO: I'm going to try to get  
20 another question in. In your application, you say that  
21 democratic processes like the CRC, which is the  
22 Commission, help produce better citizens. Tell us more  
23 about what you mean by that and how will the Commission  
24 produce better citizens.

25           MR. KWONG: My parents come from China. And

1 going back to see the educational system in China really  
2 the anti-democratic system of government really inspires a  
3 different culture. It inspires a culture that is much  
4 more hierarchical that is less embrasive to critical  
5 thinking. Students never speak up in the classroom, for  
6 example. I taught a two week seminar in Shanghai once.  
7 It's a really different way of thinking. And many  
8 political philosophers have said this is because of the  
9 democratic process. In a democratic process, no matter  
10 how small or how big, how powerful or weak you are, at the  
11 end of the day, at the ballot box, you have the same vote.  
12 You're encouraged to go to public debates, to participate  
13 in the political discussion. It really results in a  
14 better citizen.

15           And I think that's a really instrumentally  
16 valuable goal of democracy. That's what I mean by  
17 producing better citizens and having hopefully a future  
18 generation that is more embrasive of these democratic  
19 values.

20           VICE CHAIR CAMACHO: Thank you. That's my last  
21 question for now.

22           MS. NEVILLE: Ms. Spano.

23           PANEL MEMBER SPANO: Thank you. Good morning.

24           MR. KWONG: Good morning.

25           PANEL MEMBER SPANO: How do you believe it would

1 result in better citizens?

2           MR. KWONG: I really believe -- and this might  
3 not be in the budget. I will do this on my free time. I  
4 want classrooms to come to high schools. Civic classes to  
5 come to our Commission meetings. You know, work with  
6 educators, with the California Educators Association to  
7 produce curriculum guides for teachers teaching about  
8 redistricting in the classroom.

9           I would like to talk about the Form 700 with high  
10 school students. You know, we really -- this is the  
11 process that we went through to become members of the  
12 Commission, to teach them things like ethics. You'll be  
13 surprised we don't teach ethical behavior, what is right  
14 and wrong to high school students these days. And I think  
15 there is a really amazing educational opportunity for the  
16 Commission.

17           And obviously, again budgetary constraints. And  
18 I understand that. But as an educator, I believe that's  
19 important. And I think what we produce will be valuable  
20 to academics, to government officials, to other states  
21 possibly, because you know, a lot of articles out there  
22 talk about California's effort and they're talking about  
23 it in other state's context. To produce transparent  
24 documents available on our website, all documents. We  
25 shouldn't have to receive a Freedom of Information request



1 before we put these documents out there. It should be a  
2 transparent process. So that's what I mean by education I  
3 think is an essential mission of the Commission.

4 PANEL MEMBER SPANO: Thank you. Why do you feel  
5 the Form 700 is important to the process?

6 MR. KWONG: In the process, I really thought  
7 about, you know, the kind of logic that went behind the  
8 creation of the Form 700: Family ties, people that live  
9 with you need to be listed on the application. I'm  
10 thinking, this really -- all government officials in  
11 California that are sworn constitutional officers, for  
12 example, need to fill this out. And it's readily  
13 available.

14 In political science, there's always the  
15 literature follows the money. Whoever is driving the  
16 inputs into campaigns really drive the outputs of what the  
17 politician does in Sacramento. And I think going through  
18 the Form 700 is really, really valuable teaching exercise  
19 for students, because they understand that money might not  
20 be the end all, be all for motivating individual's  
21 decisions or what they do on the Commission or in the  
22 state government. But it's illustrative and it helps us  
23 understand, you know, why there is an income gap in  
24 California, for example, growing Gini coefficient is how  
25 economists define the gap between the poor and the rich.

1 So I think there are a lot of interesting lesson that can  
2 be drawn from that.

3 PANEL MEMBER SPANO: How would that be drawn in  
4 terms of their participation in the electoral process?

5 MR. KWONG: I think money drives politics to a  
6 certain extent. Academic literature says that. We see  
7 that that's what drove the campaign finance reform. So I  
8 think having students understand the money in politics is  
9 a goal of civics classes. And I think going through the  
10 Form 700 will be illustrative of that goal.

11 PANEL MEMBER SPANO: Thank you.

12 I have a few follow-up questions from your  
13 responses this morning or earlier day. It's still  
14 morning.

15 You stated earlier in your response to question  
16 one that one of the skills to be a good Commissioner is to  
17 speak to all in a diverse manner. Can you tell me what  
18 you meant by this?

19 MR. KWONG: I think there are a number of ways.

20 First, using language that is understandable.  
21 There's this -- many times, for example, I realized this  
22 when I was a teacher, I was talking about rubrics. I was  
23 talking about SAT, STAR tests. And the parents did not  
24 know anything about this. They had no idea what these  
25 forms were, what these terms meant, even things I thought

1 was quite clear, like I'm teaching for understanding.  
2 What does that actually mean? And the parents were  
3 completely puzzled when I said my motto in the classroom  
4 is teaching for understanding. Even though these are  
5 plain English words, I had absolutely no idea.

6           So I explained teaching for understanding meant  
7 at the end of the day when the student exits the  
8 classroom, they should be able to say, "Today, I learned  
9 Y, X, and Z." So using language that is understandable,  
10 that is not academic jargon, in an understandable manner.

11           Second, using languages that Californians use.  
12 You know, in many different counties, you know, in Fresno  
13 alone where my roommate comes from, hundreds of different  
14 languages, ballots printed in multiple languages. We need  
15 to have that same kind of diverse output in our materials  
16 to the citizens of the state.

17           Third, I think diversity in reaching out is much  
18 more than just language and racial. It's also  
19 socioeconomic. You know, the working poor really have a  
20 different ability to attend Commission meetings. You  
21 know, you cannot just announce we are having a meeting at  
22 your local library and expect people to come. You know,  
23 there must be -- and this means working with local  
24 officials, local cities that have experience. You know,  
25 we might have to put something in the budget where we say

1 free donuts, whatever it takes to really draw the working  
2 poor to meetings.

3           And I've done a little bit of that during my four  
4 or five years interning with the Board of Supervisors.  
5 And you know, I interpreted, you know, handed out  
6 interpreting machines, for example, just you know we  
7 collected people as IDs. We gave them an interpreting  
8 machine, and in the back I would have my interpreters and  
9 I interpreted during the meeting, for example.

10           So these are really ways for us to reach out to  
11 communities to make sure they understand the processes  
12 that are happening during the meetings.

13           PANEL MEMBER SPANO: How would you reach out to a  
14 community just like the student population that you taught  
15 back in Cambridge?

16           MR. KWONG: It really requires community ties. I  
17 really feel that underrepresented communities are in  
18 organizations. They're in local churches. They're in  
19 local parishes. They're in local unions, for example.

20           You know, I know my mother who has SEIU coming to  
21 her door all the time calling, leaving multiple messages.  
22 It really shows. And you know, most of the time, she does  
23 not respond. But one out of the many times, she does  
24 respond.

25           And really, it takes those multiple efforts,

1 diverse trained staffed to make those calls to go door to  
2 door to utilize local resources, you know, ministers, all  
3 different types of people to reach out to existing social  
4 networks in these communities.

5           PANEL MEMBER SPANO: How do you propose doing  
6 that when there are 58 counties to be considered in  
7 drawing the lines?

8           MR. KWONG: Sure. I think this is when local  
9 knowledge is helpful. So I believe the Commission will  
10 have diverse representation of all 58 -- not all 58  
11 counties obviously will be represented, but I the regions  
12 will be represented. And I think that's where local  
13 knowledge of Commissioners come into play.

14           I, in particular, am involved with many different  
15 communities in San Francisco. I'll utilize existing --  
16 it's just like a phone tree, making contacts and  
17 continuing that chain of contacts. "Hey, can you reach  
18 out to this community I'm not familiar with? And we  
19 really need your help to reach out to the community." And  
20 I think we can do a more broad-based effort. I know the  
21 ARP did that in its effort to reach out using, you know,  
22 Mexican American Legal Education Foundation, for example,  
23 Asian American Law Caucus, all these different  
24 organizations to reach out. And I think we need to do  
25 more expansive work.

1           PANEL MEMBER SPANO: Thank you.

2           I may have not gotten what you said in another  
3 part of your response to number one. But you mention how  
4 important it is about the robust standards and the  
5 measurement space and the relation to measurement space.  
6 Can you go over that again and why it's important?

7           MR. KWONG: Sure. So in the social sciences, we  
8 are always asking a question and we always have a  
9 construct. What does the construct means? A construct is  
10 basically a complex concept that really needs definition.  
11 For example, that complex construct can be diversity.  
12 What does diversity mean?

13           I think racial diverse -- so when the Commission  
14 comes together and discuss diversity, you know, they need  
15 to define the term. They need to set statistical  
16 boundaries. For example, we are okay with a district with  
17 70 percent urbanites, but no more than 2.5 percent  
18 variation between districts. We should be define that  
19 before we go in and redraw districts, because that is fair  
20 procedurally, because when the people know and in an open  
21 process this is how you define urban density 70 percent  
22 urban, with 2.5 percent variation. And when you actually  
23 go in and you redraw the districts, it fulfills those  
24 guidelines. People understands you are using the rubric  
25 that you set out to begin with. After public discussion,

1 you set out the rubric and now you're drawing districts  
2 according that.

3           Rather than do it the other way around. You draw  
4 the district and then you come up with a guideline. Oh,  
5 yeah. We are happy with that plan because they're all  
6 districts with 60 percent urban density and ten percent  
7 variation. Anyone can draw that kind of district, right.  
8 But to have the guidelines, to have the clear definitions  
9 of what the Commission based on legal advise finds is  
10 acceptable. We have a clear public hearing, however long,  
11 it takes to make those definitions.

12           For example, what is -- how should we measure the  
13 Asian American community? I think that would be an  
14 interesting discussion. You know, are Asian Americans,  
15 are you happy with being lumped Filipino Americans with  
16 Chinese Americans. For example, in San Francisco  
17 Peninsula, Daly City is a majority Filipino American. And  
18 San Francisco has almost a plurality of Chinese Americans.

19           Are you happy, you know, members of the Chinese  
20 American community and members of the Filipino community  
21 if we consider you both Asian American communities for the  
22 purposes of making sure we don't have vote dilution of  
23 ethnic minorities communities? Having that clear  
24 discussion.

25           And then finally, you know, having those

1 standards that defining them before we actually go in to  
2 redraw. So I think that's what I mean by robust standards  
3 space measurements.

4           PANEL MEMBER SPANO: Since you mention that, do  
5 you feel that even though these communities are all Asian  
6 and all different, they have differences politically in  
7 that area -- you're familiar with that area -- are there  
8 other issues of concern that could split these communities  
9 that aren't attributed to their race and ethnicity?

10           MR. KWONG: Absolutely. I think sociologist, for  
11 example, often write -- and we see this in most recently  
12 with the director of rural agriculture in Georgia, Shirley  
13 Sherrod, she discussed that many times socioeconomic  
14 status is much more salient issue for many communities  
15 rather than race. And I think that really needs to come  
16 into discussion of the Commission. How we are going to  
17 measure socioeconomic diversity.

18           Poor whites have much more in common when it  
19 comes the state programs, welfare programs to poor African  
20 Americans. And we need to take that into account. And  
21 that's something I would look for in addition to racial  
22 diversity is socioeconomic diversity.

23           And I think the Commission has really good  
24 working definition, you know, which is race, ethnic  
25 identity, income strata. I think the male/female is maybe



1 less salient in the redistricting process. I don't know.  
2 I will look at the statistics. But also sexual identity  
3 is also another diverse criteria and I believe the  
4 Commission has defined as the definition of diversity.  
5 And that would be important.

6 In West Hollywood, for example, or the Castro in  
7 San Francisco that has large LGBT community. So I think  
8 the Commission needs to come together and discuss what  
9 they mean by diversity.

10 PANEL MEMBER SPANO: You mentioned earlier the  
11 Castro district is split, the lesbian community is split  
12 in the Castro district. How do you feel about that?

13 MR. KWONG: I think it was interesting that it  
14 was done that way, especially with the  
15 Democratic-controlled Legislature, which shows the  
16 partisanship that went into the process of redistricting.

17 PANEL MEMBER SPANO: Why do you believe that?

18 MR. KWONG: This was Democratic-controlled  
19 Legislature and those were Democratic districts, as I read  
20 in the media.

21 I think personally, as a gay man, I'm concerned  
22 about the top issues facing the LGBT community:  
23 Employment, health issues, HIV AIDS funding, for example.  
24 These are big priorities -- and education, for example,  
25 anti-bullying education in the state schools. These can

1 be -- should be represented by our state Legislatures --  
2 by our state legislators. So I think it needs to be an  
3 open discussion.

4           And obviously I don't have the answer for what  
5 ultimately I hope to achieve. And obviously, this needs  
6 to balance with racial issues, with the Voting Rights Act.  
7 The eastern and western parts of San Francisco, for  
8 example, one side is much poorer, much darker, and the  
9 other side is much whiter and much more affluent. And  
10 there is intense debates, school district boundaries, for  
11 example, et cetera, that is driven by this east/west  
12 divide also.

13           PANEL MEMBER SPANO: Based on race?

14           MR. KWONG: Race, income strata, property values  
15 that drive school district funding, for example. So I  
16 think LGBT community must be represented. And I think  
17 they should be represented, especially in areas with large  
18 LGBT communities. You think there are other  
19 constitutional requirements that are driving this  
20 discussion also.

21           PANEL MEMBER SPANO: How do you feel  
22 redistricting is going to help this or hurt it, in your  
23 opinion?

24           MR. KWONG: Right now, we have Mark Leno, for  
25 example, who was one of the first gay legislators elected

1 to the State Legislature. So I think, you know, just as  
2 the Voting Rights Act says in Section 2, there is no  
3 guarantee, nothing in the Act guarantees that there is  
4 going to be actual proportional representation. And the  
5 Act shows very clearly that nothing in this Act is meant  
6 to be construed as guaranteeing final equal  
7 representation.

8 But really the electorate should have equal  
9 footing in participating in the electoral process. And I  
10 think at the end of the day, that's what I will be hoping  
11 for is that every single individual, especially in  
12 discreet minority communities should have equal  
13 opportunity as other communities.

14 PANEL MEMBER SPANO: Will you be able to set  
15 aside your strong personal biases either about the  
16 lesbian/gay communities and any other entities you have  
17 when it comes time to make redistricting decisions?

18 MR. KWONG: Absolutely. I think that's what the  
19 standards-based measurements really help us to do that. I  
20 think, you know, as a Commission, we have to find those.  
21 And if someone says, "Hey, we're not drawing the district  
22 effectively to represent this community," then we go back  
23 to definition. This was something that we came together  
24 as a Commission to decide. You were part of that  
25 discussion. We agreed that that was a fair process. It

1 was public input that came into defining what community  
2 contiguity meant. And now you want to have a special  
3 exception for your case. That's not acceptable.

4           You know, so I think what's fair is fair. We  
5 have a process that's open, that's inconclusive, that  
6 defines what we mean before we go into do the  
7 redistricting plan. We can't re-nig. The procedural  
8 fairness must be there in the process.

9           PANEL MEMBER SPANO: What do you mean by  
10 inconclusive?

11           MR. KWONG: Inconclusive meaning it's an open  
12 public meeting, as defined by the state. It incorporates  
13 all views. It's a public meeting. We have multiple  
14 meetings throughout the state and throughout different  
15 communities as long as we need the public discussion to go  
16 on to and then before we do -- to define these terms.

17           PANEL MEMBER SPANO: Okay. I'm not sure time I  
18 have -- two minutes. You mentioned earlier about  
19 neuroscience and in relation to redistricting as one of  
20 the skills of a good Commissioner. Can you tell me a  
21 little bit more about this and why you feel it's  
22 important?

23           MR. KWONG: I'm not a neuroscientist, but I was  
24 just scanning through literature.

25           PANEL MEMBER SPANO: You were -- pardon me?

1           MR. KWONG: I was scanning through literature in  
2 JSTOR in preparation of the interview. I don't understand  
3 a neuroscience a little bit.

4           But one case I do know is from sociology, for  
5 example. And this is really interesting where  
6 sociologists say there are really compact interests along  
7 the I-5 corridor in southern California. These are  
8 communities that view that traffic and traffic congestion  
9 and highway funding are the top priorities. They travel  
10 along that corridor every single day for hours. Their top  
11 priority is that.

12           What the sociologist says is that should be put  
13 into consideration for redistricting, because those are  
14 communities that have a common interest. And that's the  
15 top priority. So maybe drawing them along the I-5  
16 corridor is something to consider.

17           Now, I obviously don't agree 100 percent with  
18 this author. But that's what I mean by adopting different  
19 academic disciplines. This is a really intriguing idea  
20 and I think it deserves to be looked at if it is, indeed,  
21 true.

22           PANEL MEMBER SPANO: Thank you. I'll reserve my  
23 questions for later. Thank you.

24           MS. NEVILLE: Panel members, follow-ups?

25           CHAIR AHMADI: After you, maybe.

1           VICE CHAIR CAMACHO: Go ahead.

2           MS. NEVILLE: Mr. Kwong, do you have plans to run  
3 for public office?

4           MR. KWONG: No. I'm an academic at this point.  
5 I spend 80, 90 hours studying war.

6           Right now, I'm a researcher for the NEACD  
7 dialogue, which is Northeast Asia Corporate Dialogue,  
8 which is a tract to dialogue for the six-party talks. So  
9 I'm developing a military transparency index as  
10 interesting as that is.

11          And also I'm also working on a project on cyber  
12 security looking at academic constructs.

13          At this point in my life, it's all about  
14 academics, books. And I brought a whole suitcase of  
15 documents on Japanese defense policy in the hotel which I  
16 look forward to going back to after this.

17          MS. NEVILLE: Speaking of academics, I'm curious  
18 to know, did you attend Lowell High School?

19          MR. KWONG: I did.

20          MS. NEVILLE: I'd like to hear more about that.  
21 And I think the panelists would be really interested to  
22 hear a little bit about some of the issues related that  
23 came up around the time that you were on -- I see that you  
24 worked on their diversification plans and admissions  
25 policies. I think --

1           MR. KWONG: That was diversification plan for the  
2 SFUSD when I was on the Youth Commission. It didn't deal  
3 specifically with Lowell High School.

4           MS. NEVILLE: So it wasn't the specific issues  
5 regarding their policies?

6           MR. KWONG: I was on the Admissions Committee for  
7 two years --

8           MS. NEVILLE: I think the panel would be really  
9 interested to hear a bit about that.

10          MR. KWONG: This was in the middle of the  
11 affirmative action debates. So Lowell High School is a  
12 merit-based high school. You have to score on an  
13 achievement test beyond a certain level.

14          And before this lawsuit -- a lawsuit filed by a  
15 Chinese American parent -- there was different point  
16 values given to different ethnic minority groups. The  
17 highest bar was for Chinese Americans and East Asians. I  
18 can't remember the exact numbers or the exact  
19 classification.

20          But what it essentially was, was a system that  
21 for a Chinese American to be admitted, you have to have a  
22 certain amount of points. Whites, little bit less.  
23 Latinos, a little bit less. African Americans, a little  
24 less. The lawsuit basically -- especially in the aftermath  
25 of Proposition 209, that system was largely abandoned in

1 favor of a new system.

2           And really, the school by the way is a plurality  
3 Asian American, Chinese American, and Filipino Americans  
4 being predominant. And white students and small  
5 populations of African American, Latino populations.

6           When I was there, there was a consensus that  
7 diversity is a goal. But of course, in relation to  
8 Proposition 209, which banded race being used as a factor.  
9 So that's when I really spoke up. I said, you know, we  
10 are not going to use race. That's what Proposition 209  
11 said. And I said we should look at other creative factors  
12 to ensure that we have a more diverse population.

13           And I was part of the discussion. And we  
14 actually evaluated applications after discussion that took  
15 into account whether or not the middle school had sent  
16 students previously to Lowell High School as a factor,  
17 whether or not the parents are married or divorced. The  
18 socioeconomic of the parents income wise. Whether or not  
19 the student's parents graduated from high school or  
20 elementary school and other factors. But without using  
21 race.

22           So I think this is an example of consensus-driven  
23 discussions and compromise that follow the letter and the  
24 spirit of Proposition 209, which was passed by California  
25 voters.



1           And I don't know exactly if the ethnic make-up  
2 did change after that. But it was -- we had the NAACP  
3 there, for example. We had a consent decree we were  
4 working with, because Proposition 209 did not overturn any  
5 consent decrees that were still binding on San Francisco  
6 Unified School District. We still were bound by those  
7 consent decrees. So it was a multi faceted process and it  
8 was bound by judge --

9           MS. NEVILLE: I think it would help to clarify  
10 that those consent decrees were designed to make sure that  
11 students weren't attending schools that were racially  
12 isolated. That's why Lowell had these policies that it  
13 had in the first place was to really encourage diversity  
14 and a racially diverse student body. And Prop. 209 made  
15 that impossible. And they adapted as you described, which  
16 was really interesting.

17           I have one follow-up question for you. It goes  
18 back to the discussion that you were having with Mr.  
19 Ahmadi earlier, which was a very stimulating discussion,  
20 about compactness. And you talked about this desire on  
21 your part that perhaps the Commission, when it's  
22 ultimately formed, might want to have multiple legal  
23 opinions. I just want to talk more about that.

24           I think it's pretty -- we all understand that the  
25 notion of compactness is a legal standard that the

1 Commission has to apply in its work and the definition of  
2 what that means isn't very clear. And that's lots of  
3 scholars have talked about that, about how that needs to  
4 kind of be filled in and given meaning.

5           Let's imagine you're on the Commission. You're  
6 seated. And the Commission says, yeah, that's a really  
7 good idea. Let's have multiple legal counsel. And you  
8 have two fabulous lawyers and each of them give the  
9 Commission an opinion about what compactness means and  
10 whether some particular action the Commission wants to  
11 take meets the criteria. Two different plans, one  
12 attorney says this plan is great. It meets the standard.  
13 Different plan, the other attorney says this plan is  
14 great, too. It meets the standard.

15           Are you worried that that might lead to the  
16 possibility of kind of factionalism among the Commission  
17 where one camp of Commissioners who likes one plan will  
18 align themselves with one lawyer. The other camp will  
19 align themselves with the other lawyer? Do you think  
20 there is a risk there?

21           MR. KWONG: There's always a risk of cliques,  
22 factions in any kind of social setting. We see it in  
23 business. We see it in professional settings. Let me  
24 answer it in two different ways.

25           First is in regards to legal opinion, I really

1 believe -- and this is how I live my life in personal  
2 relationships and business. I also trust but verify. I  
3 verify every single thing just. Like a law review article  
4 where every single citation needs to have a photocopy of  
5 where that citation came from. I will ask for that kind  
6 of verification to show what you're telling me is the  
7 truth. Forty-five percent of statistics is often made up,  
8 including that one.

9           You know, we need to verify what they are telling  
10 me is correct. And that requires academic advice. I look  
11 forward to working with the University of California  
12 system which has experience doing redistricting. They run  
13 the redistricting database, for example, to tell me, you  
14 know, is this person telling me the truth. Can you  
15 provide more data on that?

16           So I really believe in accessing those academic  
17 resources. And also citizens' opinions about those legal  
18 findings, because Supreme Court justices often say the law  
19 is written in a certain way, but really public opinion,  
20 what the public says, that should be not the driving  
21 factor, but that should be a factor. And it really needs  
22 to be an open, transparent process.

23           The second way I'm going to answer that question  
24 is I love doing ice breakers. I love do bonding  
25 exercises. Love doing retreats. I think that's really

1 necessary for a Commission of this stature, of this size.  
2 You know, we really need to have collegial and  
3 professional respect for one another. And I think that is  
4 a goal.

5 And I think in the first few weeks I will look  
6 forward to obviously within the Bagley regulations we  
7 can't have restaurant meals together and everything, you  
8 know. I look forward to having a retreat that's open to  
9 the public for participation.

10 And so I hope that answered your question.

11 MS. NEVILLE: Thank you.

12 I want to give the panelists some time for follow  
13 up.

14 CHAIR AHMADI: Go ahead, Kerri.

15 PANEL MEMBER SPANO: That's okay. I was the  
16 last. You guy can go. How's that?

17 CHAIR AHMADI: One real quick follow-up.

18 In response to standard question number four, you  
19 mentioned that your goal will be to satisfy all three  
20 sub-groups. I believe you meant to say -- or that means  
21 Republicans, Democrats, and others; is that correct?

22 MR. KWONG: When I mean satisfy, I just am  
23 repeating the statutory requirements of the Act, which is,  
24 you know, the plan ultimately has to pass. And passing  
25 requires the support of three groups. So that's what I

1 meant by that, because you need votes from all three  
2 sub-groups to pass the redistricting plan. It can't be  
3 just Democrats plus Republicans pass it and the  
4 Independents all vote against it. That's what I meant by  
5 what I said.

6 CHAIR AHMADI: So let's say that you have the  
7 maps. It's September 15. You have the final product. As  
8 a Commission member, you can see that the Republicans  
9 disagree with Democrats on those maps, for whatever  
10 reason. How would you approach to resolve that?

11 MR. KWONG: I don't think government should run  
12 based on surprises. This is a transparent process. And  
13 that shouldn't happen.

14 CHAIR AHMADI: I mean -- I'm sorry. The  
15 Republicans within the Commission. Because the Commission  
16 will be made up of five Republicans, five Democrats, and  
17 four other.

18 MR. KWONG: The way I envision -- I hope that  
19 scenario doesn't happen, because throughout the process,  
20 hopefully the Republicans and Democrats are going to work  
21 out their disagreements. And this is through public  
22 meetings, transparent processes.

23 But really it shouldn't be a surprise if -- it  
24 shouldn't be at the last meeting when we're approving the  
25 redistricting plans suddenly something comes up where the

1 Democrats and Republicans have this huge division. That  
2 should be a division that, if it exists, identified  
3 earlier on. And there should be meetings according to the  
4 time schedule. And hopefully Commissioners are not  
5 partisan, they're professionally driven, that they can  
6 work out these differences before a late date.

7 CHAIR AHMADI: Since we have only a few seconds.  
8 Did you mean to say the three sub-groups within the  
9 Commission or the three sub-groups in California?

10 MR. KWONG: Within the Commission.

11 CHAIR AHMADI: Within the Commission?

12 MR. KWONG: Yes.

13 CHAIR AHMADI: So there is a potential for having  
14 discrepancies in the decision making?

15 MR. KWONG: Well, the three sub-groups do not  
16 represent -- in my mind, I'm not representing the  
17 Republican party of California. So I don't think --

18 CHAIR AHMADI: Time. Thank you very much.

19 MS. NEVILLE: Thank you very much, Mr. Kwong.  
20 Thank you.

21 CHAIR AHMADI: We'll be back at what time?

22 MS. NEVILLE: We're off the record, and we'll be  
23 back at --

24 CHAIR AHMADI: 11:00.

25 MS. NEVILLE: At 10:59, we will return.

1 CHAIR AHMADI: Thank you.

2 MR. KWONG: Thank you so much.

3 (Therupon the Panel recessed at 10:47 a.m.)

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1 11:00 a.m.

2 MS. NEVILLE: Good morning. It's 11:00. We're  
3 back on the record. Welcome to Mr. Norton who's here for  
4 his interview. We'll start with the five standard  
5 questions.

6 First one: What specific skills do you believe  
7 a good Commissioner should possess?

8 Of those skills, which do you possess?

9 Which do you not possess and how will you  
10 compensate for it?

11 Is there anything in your life that would  
12 prohibit or impair your ability to perform the duties of a  
13 Commissioner?

14 MR. NORTON: Okay. With respect to specific  
15 skills, I think there are four areas that are appropriate  
16 for a Commissioner.

17 One is holding public meetings, having listening  
18 skills, patient with the public input process, ability to  
19 articulate Commission goals and objectives to the public,  
20 ability to connect and empathize with the public, skills  
21 in dealing with press, and keeping to an agenda.

22 Another area is the reviewing and discussing  
23 pertinent data used to set geographic boundaries in  
24 districts. This includes skills in terms of familiarity  
25 with interpreting data, ability to articulate precise



1 formulations or alternative data searches, and familiarity  
2 with computer-based technology.

3           The third area is hiring staff and directing  
4 their work. This would include ability to recruit,  
5 contract for, plan, organize, direct, and monitor a staff.

6           Last is voting and approving the final map  
7 developed. The skills there are initially civility. We  
8 need to listen and speak. But the ability to work closely  
9 with others as a team member and the ability to negotiate  
10 with members who have conflicting points of view.

11           Those skills which you possess? Well, in my  
12 written application, I think addressed all of those  
13 particular issues in some fashion, so I'll not necessarily  
14 reiterate them, but tell you other skill sets.

15           It was not in my written applications, but I  
16 spent about year-and-a-half to two years studying human  
17 organizational development at the Fielding Institute in  
18 Santa Barbara. I think that may help the Commission,  
19 because they have to take data from the social world and  
20 data from the physical world and bring it together to make  
21 a decision.

22           There are errors in both of those two sets which  
23 can confound the decision-making process. And the error  
24 -- the basis for the errors to occur are I think  
25 different.

1           The other skill is an area of participating and  
2 observing software development. There are various  
3 software development methodologies which I think would be  
4 appropriate for the Commission to consider in developing  
5 the map process.

6           Which skills do you not possess? I've been  
7 challenged in dealing with written media, because I won't  
8 necessarily talk with respect to adjectives. I rarely use  
9 them. I've been quoted by reporters who have used  
10 adjectives in my discussion. And my friends would look at  
11 me and say, "What? That's not you."

12           I tend to be extremely focused and can miss  
13 details.

14           I'm impatient with routine. I use the 80/20 rule  
15 to prioritize my thinking and all I do. And some things  
16 just don't get done.

17           And how will I compensate for it? I plan to  
18 avoid contact with media unless in a public forum. Will  
19 encourage the Commission to communicate with the press  
20 through a press secretary or equivalent.

21           I have found in the past many people enjoy  
22 details and routine and will pass those items to them or  
23 to staff to ensure accomplishment. If not, I'll have to  
24 force myself to slow down and not miss details. That's  
25 not my preferred alternative.

1           I'll ask for feedback from other members to  
2 ensure I've not missed anything. Watch and listen,  
3 journal, and make lists. You'll see I make lots of lists  
4 to make sure I don't miss something.

5           Is there anything in your life that would  
6 prohibit for impair your ability to perform all of your  
7 duties as a Commissioner? No.

8           Describe circumstances from your personal  
9 experience where you worked with others to resolve  
10 conflict or difference of opinion. In the world I lived  
11 in, most of the conflicts occurred with I would saw black  
12 salon situations. They're events that occur that weren't  
13 expected that tended to change the future. The Internet  
14 is a black salon. 911 is a black salon. Me going to a  
15 Halloween party and looking at a beautiful woman and  
16 marrying her is a black salon.

17           In a black salon situation, the old rules and  
18 norms and the state of practice don't necessarily apply.  
19 But black salon don't necessarily quite respond to your  
20 question.

21           Here's an example of involving pure people that  
22 does I think respond to the question. The issue was on  
23 the grand jury. And it was a conflict between the man, a  
24 true believer focused on what he wanted to do and four  
25 women of the grand jury. They were in absolute revolt and

1 came to the foreman and said, "It's him or us."

2           The foreman basically and I worked together to  
3 help resolve that particular conflict. The foreman had a  
4 contradiction sort of role with the individual and I  
5 played the supportive role. So I worked with the women  
6 individually to understand their particular issues and  
7 then spend time discussing with the gentleman. And  
8 initially he sort of rejected my interfering with what he  
9 considered his normal point of view. But he tended to  
10 respect authority.

11           So I pointed to an authority, Carl Young, to help  
12 get him interested in looking at different points of view.  
13 Young, in his writings, categorized his clients in a  
14 number of different ways in terms of how they  
15 communicated, how they talked, their life themes. And two  
16 women, Myers and Briggs, analyzed his writings and came up  
17 with a metric called the Myers-Briggs Type Indicator. I  
18 was introduced to it in a senior department class. And it  
19 was interesting to see all these colonels and majors  
20 running around with little tags to identify what type of  
21 indicator they were.

22           So he was open to that kind of conversation. And  
23 bought him a book, Keirsey Bates book on that issue and he  
24 took it home and encouraged him to talk to his wife about  
25 it. So he came back. And after some dialogue, he sort of

1 moderated his treatment or dealings with those people and  
2 he didn't treat them like they were his secretary or his  
3 hand-maiden. So things settled down and nothing was  
4 complete harmony, but I think that sort of cooled that  
5 issue.

6           How would you resolve --

7           MS. NEVILLE: Mr. Norton, I apologize for  
8 interrupting --

9           MR. NORTON: Surely.

10          MS. NEVILLE: But just to be consistent with how  
11 we've been doing these interviews, I've been reading the  
12 questions into the record and just kind of giving --

13          MR. NORTON: Oh, thank you.

14          MS. NEVILLE: -- us a moment to go back and forth  
15 from question to answer.

16          MR. NORTON: Okay. Thank you.

17          MS. NEVILLE: But I appreciate how organized you  
18 are. So you've gone through the second question as well?

19          MR. NORTON: I'm starting I guess to look at how  
20 would you resolve conflicts that may arise among the  
21 Commissioners?

22          MS. NEVILLE: So please proceed and then when we  
23 get --

24          MR. NORTON: I'm apologize.

25          MS. NEVILLE: Absolutely fine. So please proceed

1 and when we get to three, I'll state the question into the  
2 record.

3 MR. NORTON: I will just stop.

4 Conflict arise in different favors and may lead  
5 to different approaches. There are conflicts of values,  
6 conflicts of communication style, conflicts of goals,  
7 strategy, tactics, and even presuppositions about  
8 understanding the question at hand. And so there are  
9 different approaches for dealing with that.

10 But in general, I think the approach is to start  
11 from civility to listen to what they're saying and  
12 understand where they're coming from. Look to Roberts  
13 Rules of Order. Look to the law. We all work under the  
14 law. Try to understand their learning relationship and  
15 communication styles. Look to reframe into a larger  
16 context the conversation.

17 For example, we all have to met a deadline. Look  
18 at shared values. One of the values I know we all share  
19 is if we don't agree, the work goes down the drain. A  
20 special master will take it over, and basically we wasted  
21 a lot of our life force in this area.

22 Look to the language distinctions and draw the  
23 presuppositions that people are using. And looking at  
24 their negotiating style and the priorities that the group  
25 understand are important and then work the process.

1           MS. NEVILLE: Great. The third question is: How  
2 will the Commission's work impact the state?

3           Which of these impacts will improve the state the  
4 most?

5           And is there any potential for the Commission's  
6 work to harm the state? And if so, in what ways?

7           MR. NORTON: Okay. With respect to the  
8 Commission's work impacting the state, potentially  
9 increased voter turnout because people are more engaged.  
10 Increased election competition with fewer safe seats.  
11 Decreased incumbent advantage and campaign costs. Fewer  
12 wasted votes. Increased and proportional representation.  
13 Hopefully more voices are heard than are currently under  
14 the particular system. Less special interest effects in  
15 the primary because seats are not safe. And that  
16 hopefully neighbors can communicate to each other about  
17 the same candidate by knowing they are, indeed, in the  
18 same district.

19           The potential negative harm would be that  
20 boundaries -- an assembly district could split a  
21 community. Inadvertent concentrations of a community into  
22 a single district, and the converse, inadvertent spreading  
23 out, thereby diluting its vote.

24           Some districts may become less competitive  
25 because voters tend to live near each other and have

1 similar political views.

2           Some ugly lines. A computer-driven approach may  
3 appear as no substantive change because of the contorted  
4 nature of the map, and thereby reduce the credibility to  
5 what I consider the normal citizen.

6           It has -- the whole process needs to be fair,  
7 including the maps. And they have to be perceived by  
8 somebody who's really not into the depth of it that  
9 somehow -- somebody is crooking the game.

10           May perpetuate the current conflict with safe  
11 seats with the different cast of characters.

12           May exacerbate conflicts within a neighborhood if  
13 the Commission starts picking one community over another,  
14 particularly if there is a disagreement within the  
15 community or between the communities.

16           MS. NEVILLE: Fourth question is: Describe a  
17 situation where you've had to work as part of a group to  
18 achieve a common goal. Tell us about the goal, describe  
19 your role within the group, and tell us how the group  
20 worked or did not work collaboratively to achieve this  
21 goal. If you're selected to serve on the Citizens'  
22 Redistricting Commission, tell us what you would do to  
23 foster collaboration.

24           MR. NORTON: The goal is the merging of two  
25 engineering divisions, the weapons instrumentation



1 division of about 110, engineers, and artisans with a  
2 design and fabrication division of about 120 individuals  
3 that had ten line management positions and separate groups  
4 in these two groups.

5           My role was the division head, and I acted as the  
6 facilitator for the process of merging these two groups.  
7 So I formed a team with the ten line managers and key  
8 administrative and technical staff to work as a group.  
9 And my approach was to first ensure that during the  
10 process everybody got a voice in the process at every  
11 time. And I started from areas of agreement to areas  
12 whether it be potential conflict, and then I used the  
13 technical multi-voting to help resolve priority issues.  
14 Multi-voting is a process whereby if there are, say, 15  
15 priority items in a list that a group has collectively put  
16 together, each would be given five votes. And then they  
17 would vote on what they thought were important. And it  
18 just happens things bubble to the top. And then we work  
19 down that list until we are satisfied that things really  
20 set aside the group.

21           So we had team meetings and we worked on problem  
22 identification, setting the goals for the new  
23 organization, divisions, customer service issues, looking  
24 at ongoing projects that had to be completed regardless of  
25 how the organization was disrupted. And use the

1 multi-voting tool to work the 80/20 rule for that.

2 Established some standard practices and then

3 organizational structure and roles.

4           After we worked through that, the group accepted  
5 that there was only six line management positions that  
6 were appropriate for this new organization. So I worked  
7 individually with the team, the personnel who would be  
8 potentially candidates for that, to discuss their history  
9 and what they did, what they wanted in their career, and  
10 what they saw as their contribution. And spent several  
11 weeks just talking extensively with each of these  
12 individuals. At the end of that process, two had chosen  
13 to retire. They felt that that's what they wanted to.  
14 Decided to take senior lead engineer positions rather than  
15 be line manager. I didn't dare direct the result. I had  
16 the authority to do that, but I found with professionals  
17 the directive approach doesn't work for the long term.  
18 So --

19           MS. HAMEL: Five minutes.

20           MR. NORTON: So I basically would talk through  
21 the process.

22           How would I foster collaboration with the  
23 Commission? Encourage civility. Look to share the  
24 values. Learn the style with others and use this  
25 knowledge to communicate with them. Discuss the process

1 prior to specific details. Find areas of agreement before  
2 handling more contentious issues. Reframe any issues to  
3 look at the larger context. Avoid philosophical argument.  
4 Be pragmatic.

5 I'm hooked on results, not a particular idea.  
6 And I like criteria that will make a difference and will  
7 move the situation forward. And focus on a process rather  
8 than individuals and ideas. This is the process we have  
9 to go through, let's move on.

10 Item 5.

11 MS. NEVILLE: A considerable amount of the  
12 Commission's work will involve meeting with people from  
13 all over California who come from very different  
14 backgrounds and very different perspectives. If you're  
15 selected to serve on the Commission, tell us about the  
16 specific skills you possess that will make you effective  
17 in interacting with the public.

18 MR. NORTON: I'm rational. There's good news and  
19 bad news with that. But I look for the presuppositions in  
20 the language with people I discuss with.

21 I'm patient with public input, and I expect  
22 public input to be repetitive.

23 As a pragmatist, I look to the results, not  
24 universal formulas. So I work -- I tend to focus on the  
25 interception of disagreements between people who have

1 ideas that are important to them.

2 I tend to listen. I'm experienced with various  
3 strata of society from simulator accord to politicians and  
4 their staffs. I've worked with and for minorities  
5 throughout my career. A black woman executive was a  
6 mentor at one point in my life, and she treated me as a  
7 friend.

8 I focus on the individual though in the sense  
9 that as a tutor, which I do, I'm worried about that person  
10 not as a category of a group, but having individual  
11 issues.

12 When on the grand jury, I do the same thing. I  
13 worked with 19 people thrown together. And I tend to work  
14 with those as people and respect what they have to say.

15 I'm used to a diversity of opinion. I have  
16 friends on the left and the right and love going back and  
17 forth. And those discussions are interesting and  
18 philosophical. But I'm used to those.

19 Respect but not necessarily agree with other's  
20 opinion.

21 I can be succinct and summarize differences of  
22 opinion in arguments with people.

23 That completes my statement. Are there any  
24 questions?

25 MS. NEVILLE: Thank you, Mr. Norton.

1           Mr. Ahmadi, your 20 minutes.

2           CHAIR AHMADI: Yes, thank you. Good morning.

3           MR. NORTON: Good morning, sir.

4           CHAIR AHMADI: Let me start off with some  
5 follow-up questions about your responses.

6           The first one being just to clarify and make sure  
7 I understood correctly. The first one being in response  
8 to standard question number one, as one of the skills I  
9 believe you stated -- you made a statement that one of the  
10 skills that the Commissioners should possess would be to  
11 be able to formulate alternatives. Did I hear you  
12 correctly, sir?

13          MR. NORTON: Articulate precise formulation for  
14 alternative data searches. I'm speaking --

15          CHAIR AHMADI: That's fine.

16          MR. NORTON: -- to formulate precise questions  
17 the look at different alternatives to a database.

18          In dealing with databases, you're basically stuck  
19 with what's in the database. So the computer doesn't  
20 necessarily respond to philosophical questions. So you  
21 have to cast that in some fashion that the database will  
22 accept.

23          CHAIR AHMADI: Thank you, sir. And my question  
24 was not a question, but could you elaborate on that,  
25 please. What do you mean by alternatives?

1           MR. NORTON: Well, you can look at -- because you  
2 can look at the data with different point of views in the  
3 sense that you can ask a question of demographics and then  
4 you can ask which would require certain set of questions.  
5 Or you can ask the computer about issues of geography.  
6 Both of those may be aligned with some other question  
7 you're working with, but the computer -- the technology  
8 will give you a different kind of response.

9           Does that answer your question?

10          CHAIR AHMADI: Yeah. Thank you.

11          What do you mean by 80/20 rule and how would that  
12 apply to your work on the Commission should you be  
13 selected?

14          MR. NORTON: Well, I apply it to my own dealings  
15 with organizations in the sense that an economist in  
16 Pareto looked at land ownership in Italy and found that 20  
17 percent of the people owned 80 percent of the land.

18          And my experience that rule that 80/20 rule where  
19 20 percent of the result or behavior -- some of the result  
20 is caused by 20 percent of the causes. And it's been used  
21 in many situations, and I found it's a very useful thing  
22 to do.

23          So if you look at a group of 20 people and that  
24 are working together, you'll find out probably four or  
25 five contribute to the bulk of the end result. The others

1 are necessary as supporters or facilitators in some other  
2 direction. But you find that small group has a much  
3 larger impact than the norm. It's not an average.

4 CHAIR AHMADI: Thank you.

5 Do you think that would be the case for the  
6 Commission? The 14-member Commission?

7 MR. NORTON: Well, if the Commissioners are  
8 worrying about priorities of program execution in terms of  
9 setting up schedules or deadlines -- and then I think one  
10 of the issues is where would these sessions with the  
11 community have the most impact? Granted, you can have  
12 many open forums in a remote area of California. But the  
13 area that is the most sensitive to these kind of issues  
14 are in areas like in Los Angeles. So you would tend to  
15 scrutinize your use of your resources to get the maximum  
16 result out of the time and personnel you have.

17 I wouldn't negate those folks in Alpine County.  
18 Yet, I would look at them as possibly being communicated  
19 within other ways rather than having a series of open  
20 forums in Alpine County.

21 CHAIR AHMADI: What do you mean other ways?

22 MR. NORTON: Other ways: Internet, Facebook,  
23 looking through the local media for and soliciting  
24 feedback from community leaders, putting an insert in the  
25 utility bill and mailing out. Sending out a letter signed

1 by the Chairman to individuals in the community if  
2 necessary. I think many ways of connecting with different  
3 communities that won't necessarily require a public  
4 hearing in every county in California.

5 CHAIR AHMADI: How would you balance that  
6 approach with as -- I'm sure you're aware, there are legal  
7 requirements for the Commission to have transparent  
8 processes. So how would you balance that?

9 MR. NORTON: It's not a balance. All the weight  
10 is on the legal requirements. So it's not like Maslow's  
11 Hierarchy of Needs where you can trade off something. But  
12 it's something you just -- that's sort of the guidelines  
13 you need to deal with. Does that answer your question?

14 CHAIR AHMADI: Yes.

15 MR. NORTON: Doesn't balance.

16 CHAIR AHMADI: Thank you.

17 MR. NORTON: Sure.

18 CHAIR AHMADI: When you were discussing skills  
19 that you do not possess, if I heard you correctly, you  
20 mentioned something about trying to avoid -- you're trying  
21 to avoid contact with the media.

22 MR. NORTON: I'm not against media in the public  
23 forum. I've been misquoted with one-to-one discussions  
24 and it just annoys me. And I'd rather not go into that  
25 one-to-one discussion with media.



1           I would hope that there would be a press  
2 secretary or some other person who would formulate a  
3 communication to the media.

4           Now, one of my community duties was associated  
5 with the Base Reduction and Reallocation Commission. We  
6 had a Committee that we formed that we had a  
7 communications group. And I worked on the Strategy  
8 Committee to work out about point papers for issues. But  
9 we tended to want to vet our public communication through  
10 our publication person, and we had persons who are good at  
11 that. And I was quite content to have that happen.

12           CHAIR AHMADI: So should you be selected as a  
13 Commissioner, I'm sure that we can reasonably expect that  
14 you will be the focus of attention --

15           MR. NORTON: I'm afraid so.

16           CHAIR AHMADI: -- for the media, not only within  
17 the state, but nationally perhaps, really universally.

18           MR. NORTON: Right.

19           CHAIR AHMADI: Assuming that you're on the  
20 Commission, or given that you're on the Commission and  
21 you're approached by a group of media reporters on the  
22 street, how would you handle that situation?

23           MR. NORTON: Well, I would welcome them. I'd  
24 love to hear the questions.

25           If it's something of controversy, then I would

1 say, "I'll take it to the Commission and we'll issue a  
2 press release on it." Because basically it's so important  
3 that everyone should know that.

4 And I'm just reluctant to deal one-on-one with  
5 people -- as I said, I don't talk in adjectives, but  
6 reporters tend to use them.

7 CHAIR AHMADI: Thank you, sir.

8 You indicated as part of the response to question  
9 number three that one of the harms could be that the  
10 communities of interest be split.

11 MR. NORTON: Yes

12 CHAIR AHMADI: How likely is that?

13 MR. NORTON: Well, I'm not sure in the sense that  
14 the Commission is taking gross chunks out of the  
15 population, about 450,000 people. And so I feel that in  
16 many cases, you know, encompass a community and there will  
17 be no issue at all. It's when a chunk starts cutting  
18 across a community, whether it's ethnic or linguistic or  
19 social group that feels somehow it's been hard done by,  
20 then I think we need to pay attention to that.

21 I don't think we have the time to deal with every  
22 community effort across the state of California. It's  
23 just too big a problem. And I tend to focus on those  
24 areas and particularly the areas -- well, two areas. One  
25 is the four counties that are under federal mandate, but

1 also highly compact counties like Los Angeles and some of  
2 the northern regions where that most likely happen.

3 CHAIR AHMADI: So what factors would you consider  
4 in deciding which communities of interest to contact or go  
5 to?

6 MR. NORTON: Good question.

7 First of all, there are those of record that  
8 would say need to be contacted with it. But probably a  
9 lot of communities that we have no understanding of. And  
10 that would be basically public outreach to let people know  
11 what's there.

12 I would hope that the methodology we use for  
13 doing our business will excite interest and get feedback  
14 as early as possible, so we can look at that and say  
15 whether -- considering the errors in our own data, where  
16 we can make a distinction or at least avoid harm, that  
17 would be my concern.

18 Now, I wouldn't necessarily favor a group. I  
19 wouldn't want to harm a group that has identified itself  
20 as something -- and is a considerable number. Because if  
21 you're talking about a chunk of 450,000 people, a small  
22 community of a thousand may feel umbrage about that. In  
23 the scheme of things, I would like to listen to that. And  
24 I would tend to focus on those groupings that have  
25 significant percentage of the district at hand.

1           CHAIR AHMADI: So if I heard you correctly, you  
2 indicated that the four counties, which is under --

3           MR. NORTON: Kings, I think, Monterey --

4           CHAIR AHMADI: Yeah. So -- and that's fine. Can  
5 you be a little more specific about what will help you  
6 decide where to go to get the input from the communities  
7 or which communities -- is there any specific community  
8 that you have in mind or any specific approach that will  
9 help you to identify?

10          MR. NORTON: Well, you know, I look at Ventura  
11 County, which I think I'm familiar with. It has ten  
12 cities, and it has some cities that have a significant  
13 Hispanic population, like Oxnard. Small agricultural  
14 communities like Santa Paula and Fillmore. I know those  
15 communities. I would tend to put out information to the  
16 public media and any other media -- I mentioned a couple  
17 others -- to get them engaged in the process.

18          And the big issue to me is getting people  
19 engaged, because I look at an issue like this issue we're  
20 working with, I think we'll support, because that's why  
21 we're here. The issue of redistricting I look at there  
22 are four sides of every issue like this. Those who are  
23 for; those who are against; those who don't know there is  
24 an issue; and those who know but don't care to  
25 participate. They have other values. They have other

1 priorities. Some people we call apathetic.

2           So to me, increasing the number of people who are  
3 aware is not sufficient. It's getting them to the point  
4 where they're engaged so they actually participate in the  
5 process is the biggest challenge for this group.

6           Did I respond?

7           CHAIR AHMADI: Yes. Thank you, sir.

8           I have limited time and I have to decide -- you  
9 state that the current political system has a bias toward  
10 incumbency and is particularly unfair to the individual  
11 voters, implicitly racist in its efforts on minority  
12 voting rights.

13          MR. NORTON: Yes.

14          CHAIR AHMADI: Who are some of the minorities you  
15 believe are affected?

16          MR. NORTON: Minorities are Hispanic population,  
17 the black population, possibly the Vietnamese population  
18 in southern California and Orange County. Because they  
19 tend to not have much of a voice in the system. The  
20 voice -- the system is tended to be driven by who will get  
21 Incumbent A involved.

22          From my understanding, there was agreement that  
23 somehow agreement with the Republican and the Democrats to  
24 perpetuate the process. So I look at a safe seat for a  
25 Republican as having probably denied the voice of people

1 in the district for his benefit. The same for a Democrat.  
2 To me, that process is unjust.

3 CHAIR AHMADI: How are they affected?

4 MR. NORTON: Basically, I think their vote is  
5 ignored or they become category four. They don't want to  
6 participate. They see the system as rigged

7 CHAIR AHMADI: What do you mean by category four?

8 We have five minute minutes.

9 MR. NORTON: Category four. That's only my  
10 terminology. Those who are aware of the issue but don't  
11 care to participate in the conversation anymore. They  
12 feel that there is nothing they can do to impact the  
13 process.

14 CHAIR AHMADI: So how would you, if selected as a  
15 Commissioner, serve to correct this?

16 MR. NORTON: I don't know if I that have much  
17 power. I don't know if any Commission has that much  
18 power.

19 I would think there are certain strategies to  
20 engage people to make it interesting. I've seen a  
21 technique used where there were community meetings and  
22 people were allowed to mark up maps. And people like  
23 marking up maps. They're marking up maps for  
24 transportation and housing and other areas. And that got  
25 younger people interested, because they didn't have to go

1 through a big analysis. They could basically identify  
2 where they thought transportation, cars can go, where open  
3 space could go, or housing could be more dense or spread.  
4 So try to communicate with them and get them energized in  
5 the way they can respond.

6           One of the things I would do, like tomorrow at  
7 3:00, get the old boundaries up on the Internet to say  
8 this is what we have to deal with, to be able to see  
9 exactly the kind of situation we're in.

10           You know, I used the term ugly boundaries. When  
11 you look at the contorted geometric configuration of some  
12 of these districts, particularly in Los Angeles, you may  
13 scratch your head and say, why was that? It's implicit in  
14 the sense of something is wrong. So the tendency is to be  
15 what I call category four. They don't want to participate  
16 in that conversation anymore.

17           So hopefully energizing by looking at maps,  
18 getting people interacted with that, as it really is  
19 possible. We'll hopefully get them motivated.

20           But people have their lives. The economy is  
21 terrible. And to insist that people who are worrying  
22 about their next job or next meal come to a forum for an  
23 abstract purpose is I think a bit much.

24           CHAIR AHMADI: I believe I have over two minutes  
25 left. Okay.

1           You have spent most of your life in Ventura  
2 County.

3           MR. NORTON: Yes.

4           CHAIR AHMADI: I'm referring to your application.

5           MR. NORTON: Yes.

6           CHAIR AHMADI: Can you tell us about some of the  
7 issues facing California and other regions of the state  
8 and how, if you are selected as a Commissioner, would you  
9 familiarize yourself with those issues?

10          MR. NORTON: Well, I just drove up the San  
11 Joaquin Valley today. And I saw that the signs along the  
12 road, "your government caused me to have my land taken  
13 away." And I saw how very dry it was down toward  
14 Bakersfield. And it gradually got greener. I think  
15 that's a fundamental issue within the state of California.  
16          Land is a big issue. In Ventura, I claim that  
17 Ventura is an interesting -- similar characteristics to  
18 many parts of the state. Most of it is parsed and  
19 mountained. It has a areally rich agricultural area. It's  
20 associated with oil and oil development, tourism. It has  
21 a strong military component. Hi tech. It has small rural  
22 communities. It has large urban communities and more  
23 affluent.

24          And so I look at my experience with that as being  
25 able to sort of correlate with some of these. And that's



1 been years in the desert and the number of circumstances.  
2 I'm familiar with the desert of California. It's a  
3 different issue.

4 CHAIR AHMADI: Can you name one issue in another  
5 part of California regions? For example, northern state.

6 MR. NORTON: Well, I can go from my experience  
7 out to the desert. There is a county seat of Bakersfield  
8 and Kern County about 80 miles to the east of across the  
9 Tehachapi, Ridgecrest. Now, Bakersfield if you've been  
10 talking simple terms is about oil, agriculture, and water;  
11 lack of it. With respect to Ridgecrest, it's about the  
12 Department of Defense. The Ridgecrest is basically the  
13 community that supports the naval air warfare weapons  
14 division campus at China lake.

15 CHAIR AHMADI: Thank you, sir.

16 MR. NORTON: I'm sorry.

17 MS. NEVILLE: Ms. Camacho.

18 VICE CHAIR CAMACHO: Hello, Mr. Norton.

19 MR. NORTON: Yes, ma'am.

20 VICE CHAIR CAMACHO: I know you wanted to talk a  
21 little bit before we came in.

22 MR. NORTON: I apologize.

23 VICE CHAIR CAMACHO: I just wanted to let you  
24 know that all of our conversations have to be in front of  
25 the camera and open --

1 MR. NORTON: I didn't know that.

2 VICE CHAIR CAMACHO: No problem.

3 I have a few questions for you. Can you  
4 elaborate the interaction that you had with the African  
5 American woman that was your mentor?

6 MR. NORTON: Well, I was promoted one time to the  
7 Assistant Technical Director position of a semi-large  
8 organization, about 6,000 people. I had spent most of my  
9 time in the engineering community, and I had not much in  
10 the way of the social graces associated with the Executive  
11 Board. And I guess I really didn't know how to write a  
12 memo properly. And I guess she was amused at what I did.  
13 But she would coach me on those issues of how to deal with  
14 an executive environment.

15 And she taught me how to like Bushmills whiskey.

16 But she dealt with me as a friend. And I liked  
17 her and she liked me. And she was also a handicap. She  
18 had a twisted back.

19 VICE CHAIR CAMACHO: When was that interaction?

20 MR. NORTON: What year? In the 80s.

21 VICE CHAIR CAMACHO: Was this mentorship, did  
22 this progress during your time at this location?

23 MR. NORTON: Well, it progressed until she  
24 retired. After she retired, we still kept connection.  
25 And she passed away. She had a lung problem. So I knew

1 her -- I was at the funeral of her mother, and I was to  
2 hers when she passed away.

3 VICE CHAIR CAMACHO: What did that experience --  
4 or what can that experience that you had with this  
5 individual bring to the Commission?

6 MR. NORTON: Well, it's a personal involvement  
7 with somebody who's considered of color. And again, I  
8 tend to look at individuals. I deal with them. And so in  
9 my tutoring, I deal with individuals. I worry about where  
10 we are and their understanding of the English language,  
11 where they want to go.

12 One of the techniques I used is to have them  
13 dictate to me something about their childhood that was  
14 neutral, something I liked. I'd write it out, type it up,  
15 give it to them. They can read it back to me, but now  
16 it's their story. And every story is unique. And that  
17 was a mechanism to deal with that person as an individual,  
18 but that helped them learn English in a way that was  
19 personal to it, too.

20 Does that help you?

21 VICE CHAIR CAMACHO: Yes. That kind of goes into  
22 my questions that I want to ask you next.

23 Why did you decide to earn a certificate in  
24 teaching English as a second language?

25 MR. NORTON: There was a couple reasons. One, I

1 thought it would help me as a tutor. And two, I had  
2 visions of going off and teaching English somewhere in  
3 Spain. And I felt I had a certain technical background  
4 and that teaching technical English would be something  
5 that most tutors would be able to do. That was my  
6 advantage.

7 But my life changed directions. But I use it --  
8 my plan was to live and retire and live in Europe or some  
9 other place to deal with that. But that didn't happen.  
10 But I'm using those skills today dealing with the people I  
11 do.

12 VICE CHAIR CAMACHO: Can you tell me a little bit  
13 more about the individuals that you tutor?

14 MR. NORTON: Well, I won't use names, but one  
15 person had a third grade education in Mexico. She lived  
16 with her aunt. She was working two jobs. Some of the  
17 issues that she had -- and one of her jobs was a frame  
18 shop. One of her issues was learning fractions. It's a  
19 fact that America is the only one that uses the so-called  
20 English system. Anyone from outside the country finds it  
21 difficult to deal with. I found that she's hard working  
22 and struggling.

23 I had another gentleman who was Hispanic. He was  
24 in his 20s. He had a disability and was interested in  
25 learning about medical terms that would help him

1 communicate with his doctor.

2 I had a person who -- I have a person who's  
3 dyslexic today. And I'm working with him to try to figure  
4 out what would be the best approach for him to help his  
5 reading skills.

6 They're all different. I look at them -- I still  
7 look at them all as individuals. The gentleman who in his  
8 20s called me about two weeks ago and said he just had a  
9 baby. I was shocked he called me. I hadn't seen him for  
10 like six months.

11 So does that answer your question?

12 VICE CHAIR CAMACHO: How do you think  
13 understanding all these differences for these individuals  
14 that you taught or that you tutor will help you when you  
15 go out -- if you become a Commissioner, to go out to the  
16 public and talk with them?

17 MR. NORTON: Well, I think part of it is that we  
18 need to pay attention to setting up hearings in places  
19 where people are actually able to get to them. There's  
20 some people in California who actually don't have a car.

21 And so we need to be able to focus on certain  
22 areas if they're in the lower income area to go out of our  
23 way to make accessibility an issue. If we are holding  
24 hearings in Beverly Hills, I wouldn't consider that an  
25 issue.

1           Is there anything else I can --

2           VICE CHAIR CAMACHO: No. No. That -- how do you  
3 expect that your involvement in the Base Realignment and  
4 Closure Commission helped prepare you for many of the  
5 activities of the Commission?

6           MR. NORTON: I spent a lot of time trying to work  
7 with my team to come up with the set of arguments, plans,  
8 and presentations that would go forward to the Base  
9 Closure Commission.

10          I recruited individuals other than myself to  
11 speak, because I felt they were better qualified than I.  
12 One of the individuals was an admiral who made a  
13 recommendation for me, and I asked him to speak for our  
14 group because I knew he was better qualified for that.

15          I saw the dynamics of the Commission over a  
16 number of years times. When I was on the inside at the  
17 bureaucracy, I was in the receiving end of the base  
18 closure decisions. One of my jobs was to help facilitate  
19 the merger of facility China Lake and Point Mugu. So I  
20 worked on the Vice Commander staff with a sackful of money  
21 trying to get people to align their processes so it would  
22 be as seamless as possible for communication and  
23 transportation between the sites.

24          So when I was in the federal government, I  
25 couldn't speak to the Commission. And when I was retired,

1 I could speak to the later Commission. So I saw the  
2 process and how it affected other people's lives.

3 And again, I saw the Commission's process being  
4 fairly crude in what they did. And some of the logic they  
5 used I felt was just that -- in terms of I really didn't  
6 understand the basis for those decisions, because it  
7 didn't make economic sense by what they did. So I saw  
8 where the potential harm of a Commission like that, too,  
9 could incur on other communities.

10 VICE CHAIR CAMACHO: What were those potential  
11 harms that you saw that affected those communities?

12 MR. NORTON: Well, it polarized the community of  
13 China Lake and Point Mugu, because there was vicious  
14 in-fighting to try to move jobs from Mugu to China lake.

15 I don't know if you know where China Lake is, but  
16 if you go to Remote, it's five miles beyond Remote. It's  
17 a very difficult place to get to. They have a very tight  
18 community. And so they have a really strong political  
19 influence in the federal level. They have used many  
20 techniques to get their voice heard, beyond what you would  
21 consider in normal field installation.

22 So I saw the conflict that arose between those  
23 two communities because of this being in play. And I can  
24 see that potentially they could exacerbate conflict -- the  
25 Commission's work could potentially exacerbate conflicts

1 between minority communities if it's seen that one  
2 community is paid attention to more than another or that  
3 the Commission favors one community over another. I think  
4 it could possibly make things worse.

5 VICE CHAIR CAMACHO: You also said that you saw  
6 that it affected other's lives. Was that kind of what you  
7 were meaning? Or did you see how these base closures  
8 affected individual's lives that were there?

9 MR. NORTON: Well, it affected the lives in terms  
10 of the lost jobs, homes -- families that are moved.

11 Some of the results I felt were from a point of  
12 view of the taxpayer, basically a waste of taxpayers'  
13 dollars with respect to the base closure part, if that's  
14 what you're talking about.

15 VICE CHAIR CAMACHO: When you saw these  
16 results -- and I know you couldn't talk to the Commission,  
17 was there any other way that you could go to communicate  
18 with these concerns?

19 MR. NORTON: Well, we had an ability to  
20 communicate with our elected representatives. So on this  
21 Committee that I was part of, the Chair was on the Board  
22 of Supervisors. And we had an Executive Committee which  
23 had elected members from various city counsels. So there  
24 was -- I would call it the Board, which had those members.  
25 And then there was a few, three, four working groups that



1    tried to do the work of that Executive Committee.

2               I was chair of one called Strategy.  There was  
3    another one for finance, another one for communication.  
4    And we did the bidding of the Board.

5               And part of that, there was a hiring of a  
6    lobbyist that would facilitate trips to Washington to  
7    brief other legislators.  So I was part of a team that was  
8    asked to go back.  And mostly we talked to staffs.  We  
9    talked about our concerns and our issues.  So I worked a  
10   number of roles in that process.

11              Does that answer your question?

12              VICE CHAIR CAMACHO:  So was there any way to  
13   communicate -- I know that you worked on all these various  
14   roles.  Was there any way to communicate your concerns up  
15   so individuals at a higher level understood your concerns?

16              MR. NORTON:  Well, make a distinction between two  
17   issues.  One, I was in the government.  I had -- there was  
18   a rule basically that you're not to speak.  You can talk  
19   to your elected officials at all times, but it was not  
20   your role to go to your boss, whoever it is, and have your  
21   boss talk to someone else that worked up the chain of  
22   command.

23              The process was you will implement whatever  
24   decision are made by the political process.  And as a  
25   citizen, you have the perfect right to go to your

1 Legislature. But you kept those roles different, and you  
2 kept away from taking any information that would be  
3 considered proprietary and government information and pass  
4 it onto anybody. So we may have been privy to certain  
5 data in the system that was mandated we couldn't  
6 communicate to even our elected representatives. It  
7 wasn't our role. But we can communicate to them our  
8 opinions which we did.

9 But after working so many years in the system,  
10 it's engrained to follow the law. That's the only thing  
11 that holds us together as a civilization. And you take  
12 your lumps depending how the process works.

13 VICE CHAIR CAMACHO: Do you think that was a good  
14 system, or do you think there could have been  
15 modifications to have a better system?

16 MR. NORTON: I think it was a clumsy system and  
17 crude and political. And I don't know any better way of  
18 doing it actually.

19 I saw staffers doing things -- I saw staffers for  
20 the Commission doing things I thought were marginally  
21 ethical.

22 But you just do what you can do. And you accept  
23 the role and you play that as best you can.

24 And I'm not wise enough to come up with a better  
25 system actually. But the decisions were crude in their

1 implementation. Maybe in aggregate, it worked for the  
2 benefit of the country. But I saw its impact in the  
3 adverse way in the area I was living in.

4 I had to implement that, too. One of my jobs was  
5 after the decision was made to go, okay, you work for the  
6 Vice Commander. Here's your sack full of money. Make it  
7 happen. There was no question about why after that. You  
8 just do what you have to do.

9 VICE CHAIR CAMACHO: If you're on the Commission,  
10 how do you see that process running?

11 MR. NORTON: Running? Well, I think the process  
12 has a number of stages. First, what I call team building;  
13 developing a relationship with the members of the team.  
14 And I think that's probably one of the most important  
15 issues we can work with, is to have those bonds.

16 And I think you can do that as a human being, not  
17 as a Commissioner or in something that isn't appropriate.  
18 Of course, that would be based on the guidelines from the  
19 Bagley-Keene as to what we can do.

20 After that is coming up with an understanding of  
21 how we're going to get from Point A to Point B. And part  
22 of it is how do we communicate to the public. So it's no  
23 surprise to the voters that we're actually doing  
24 something. So part of it is public outreach beyond  
25 holding hearings in local areas. So that's what I feel

1 that engagement through any forum, whether it's mass  
2 mailings, Facebook, internet.

3 I prefer graphical things. So I again as I said,  
4 tomorrow at 3:00 I would hope someone would put on the  
5 website the current district boundaries and just point to  
6 it. Say this is what we have, folks.

7 VICE CHAIR CAMACHO: How would you ensure that  
8 this situation that you had to be in during these closures  
9 of the bases didn't occur when you went to the Commission?

10 MR. NORTON: Well, I didn't go directly to the  
11 Commission. I mean, again, make a distinction. Between  
12 when I was working in civil service, I was prohibited from  
13 going to the Commission. When I worked outside the civil  
14 service and then I worked for the Commission, and I helped  
15 by running point papers and identifying impacts --

16 VICE CHAIR CAMACHO: Oh, I think I didn't -- I  
17 wasn't clear in my question.

18 How would the political and the structure that  
19 you had to follow in the closing of the bases affect you  
20 if you become a Commissioner?

21 MR. NORTON: I would -- okay. I would be  
22 sensitive to the impacts of what we do, because I saw it  
23 affect people's lives in terms of lost jobs and families  
24 moved.

25 And I expect it's going to be a relatively crude

1 process, because you're taking chunks of 450,000 people.  
2 And that's a pretty big chunk out of the population. And  
3 I think you do the best you can to mitigate those impacts,  
4 the impacts that will be. It's part of the process.

5 In order -- because of the time line too, there's  
6 no way to dwell and have academic arguments about things.  
7 You have to -- trains must roll on time.

8 VICE CHAIR CAMACHO: What do you think those  
9 impacts would be on the Commission?

10 MR. NORTON: Impacts back to the Commission you  
11 mean or impacts to the Commission back to the community?

12 VICE CHAIR CAMACHO: Well, you were saying there  
13 would be some issues that may impact the Commission.

14 MR. NORTON: Well, I was thinking --

15 VICE CHAIR CAMACHO: I'm just trying to get some  
16 clarification on that.

17 MR. NORTON: Impact the community. Impact to the  
18 Commission is you must accept that people -- some people  
19 will not like what you do, regardless of what you do. And  
20 some will be more vocal than others.

21 And yet, you have to listen to the law. So the  
22 impact on the Commissioner would be stress because you  
23 have -- being public, you just have to accept that as part  
24 of the role that you're doing. So that's the back  
25 pressure on the Commission.

1           VICE CHAIR CAMACHO: I think that's probably all  
2 my time. Thanks.

3           MS. NEVILLE: Ms. Spano.

4           PANEL MEMBER SPANO: Good morning.

5           MR. NORTON: Good morning.

6           PANEL MEMBER SPANO: You mentioned the  
7 communities are polarized and conflicts between these  
8 minority groups as a result of the closure and loss of  
9 jobs.

10          MR. NORTON: I didn't say minority. I said  
11 groups. There was two communities. They weren't -- they  
12 were minorities in both of them. One was a community in  
13 Point Mugu naval area base and one was a community at  
14 Ridgecrest.

15          So the polarities were within those  
16 organizations, because at one level, they were merged  
17 before the base closure. And the base closure activity  
18 basically pulled them apart again, because it was an issue  
19 of jobs and likelihood.

20          So I saw that initially what worked as a smooth  
21 organization had become fractured due to lack of trust.  
22 There was a lack of trust of the management who resided at  
23 Ridgecrest, because there was a feeling because of the  
24 process that there was some duplicity involved with this  
25 process. And you know, there are paranoid stories that

1 come around all the time. And this process just triggered  
2 a lot of that conversation.

3 MR. NORTON: How do you propose to avoid  
4 situations like this when you're on the Commission so that  
5 there isn't this sense of lack of trust between the  
6 Commissioners and maybe the public's perception what the  
7 Commission's work is doing?

8 MR. NORTON: In terms of focusing on the issue  
9 and encouraging trust between the Commissioners and the  
10 public, one is obviously the transparency. We have to go  
11 through with the process. It's not just sitting in open  
12 meetings. But again I look at the internet and other  
13 mechanisms to do that.

14 Also, I look at again the kinds of maps that we  
15 come up with. I called them ugly districts. I'm not  
16 against that. But I think the uglier it gets, the more we  
17 have to justify that. The more we lose against any  
18 understanding of nesting or symmetric, the more it tends  
19 to bite the polarized people and the less credible we are.

20 PANEL MEMBER SPANO: What do these ugly maps --  
21 geographic maps, what significance does that have to you?

22 MR. NORTON: When I look at them, you can say  
23 that nothing in nature ever looked like that.

24 And I wish I could have a district map of Los  
25 Angeles to show that. But -- sorry. When you look at

1 those contortions, people would naturally say, why did  
2 they do that? There must be an agenda here. And there  
3 must be -- somebody's manipulating me again.

4 PANEL MEMBER SPANO: In what way?

5 MR. NORTON: Manipulating my vote, because you  
6 know, just on the surface of it is somebody is doing  
7 something to me and manipulating my vote. And basically,  
8 why should I bother?

9 PANEL MEMBER SPANO: Just by looking at a  
10 contorted map?

11 MR. NORTON: It's frightening if you look at it.  
12 Meditate on that for a while. And I would suggest seeing  
13 how you feel. Not knowing about the theoretical, the  
14 analysis of demographics, and other issues.

15 Now, granted, the Commission is going to have to  
16 do some of that because there are regulations and rules.  
17 But to the extent where that's minimized is, to me, one of  
18 the criteria for credibility for the Commission. So that  
19 on the surface of it, people say, here's a criteria. And  
20 yes, in theory, we can have certain values set up so  
21 nothing is nested, because it's a low priority. Nothing  
22 is compact, and we could be perfectly justified in doing  
23 that. But I think we would be embarrassed standing up in  
24 a public community pointing to the old way and pointing to  
25 the new and saying this is better for your community.



1 People don't have the time to go into the details. But  
2 it's just this visual impact of this, what I call ugly  
3 maps.

4 PANEL MEMBER SPANO: Do you believe that the  
5 Commission doesn't have to go into the detail to explain  
6 why a district would look funny?

7 MR. NORTON: Absolutely has to. If it looks  
8 funny, it has to. It has to have good reasons to do that.  
9 Absolutely. And to many people, they're not going to  
10 waste their time to go do it. So I think --

11 PANEL MEMBER SPANO: What do you mean people?  
12 You, the Commissioners?

13 MR. NORTON: The people I would call level four,  
14 I guess. Those who know about the process but don't care  
15 to participate.

16 I think that every boundary the district -- the  
17 Commission puts together needs to be justified for legal  
18 purposes and for meeting whatever rules that are  
19 necessary. And those justifications are mandatory.

20 But I think there needs to be a strong attempt to  
21 very clearly relate to the issue of nested districts,  
22 reasonably compact districts. And I don't have a  
23 universal definition of that. I can have a geometric  
24 definition. But I'm not sure whether other Commissioners  
25 would agree with me. It's whatever we agree is compact is

1 enough. We have to move on with it.

2 Did I answer your question?

3 PANEL MEMBER SPANO: Yeah.

4 When you say level four, you mean those that just  
5 don't care about participating?

6 MR. NORTON: Yeah. They know about the issue but  
7 they don't want to -- for whatever means, their priority  
8 is their family, their work. Maybe they don't even like  
9 the conversation for some reason. And so whatever reason,  
10 they don't want to participate.

11 And to a great extent, part of the task of the  
12 Commission is not only just to make the people aware, but  
13 people aware and want to get involved. And make that as  
14 smooth a process as possible, to lower the threshold of  
15 participation as best we can.

16 That's why I tend to go toward the visual.  
17 People mark up maps and encourage -- get junior colleges  
18 and colleges involved with the game if you will and see if  
19 they can do a better job. Just to get them excited about  
20 this process.

21 PANEL MEMBER SPANO: To a certain degree, some of  
22 the public that may feel disenfranchised with that the  
23 Commissioners' work and how they draw the line is going to  
24 sometimes result in maybe unusual shapes and --

25 MR. NORTON: Absolutely.

1           PANEL MEMBER SPANO: And the law will require  
2 that. And how would you go about explaining to those  
3 people who feel strongly that, "I don't think the way  
4 you're drawing the lines are going to fairly represent my  
5 interest." How do you go and explain it to them without  
6 discounting them and getting them to understand the  
7 Commission's work and what they're doing and eliciting  
8 confidence in the way the Commission is going about  
9 determining these lines?

10          MR. NORTON: Well, I think we need to energize  
11 them as early as possible in conversation. There are  
12 certain methods for developing software systems. But  
13 they're called rapid prototype. But you tend to come up  
14 with something that is temporary, but is a baseline for  
15 which you want to go on to develop your detail.

16          People need to be able to recognize that as early  
17 in the process as they can. And part of the issue -- and  
18 once the Commission has made a judgment based upon their  
19 best integration of the data, that has to go out and face  
20 the public.

21          And so there's got to be a final reckoning in  
22 front of the public about -- and justification. So  
23 instead of listening to the public, there's got to be a  
24 presentation to the communities -- particularly I consider  
25 Los Angeles -- about why we did it this way. And people

1 have the right and the necessity of voicing their issues  
2 with that. And you have to listen. You have to listen to  
3 these people. I may not agree with them. But I need to  
4 listen. And you need to be able to articulate why you  
5 did. And part of the why you did it is that's the law.  
6 You know, that's -- my values are out of the system.  
7 That's the law. We will follow the law. If you don't  
8 like it, go back to the Legislature. That's what we have  
9 to follow.

10           PANEL MEMBER SPANO: How would you propose that  
11 someone who felt strongly about their shared interest in a  
12 community would be broken up by the maps that you draw and  
13 convince them that, you know, I seriously considered the  
14 interest of your communities as I integrated it into the  
15 data and the Census data in developing the map? Because  
16 do you feel like a computerized program can spit out the  
17 map that would actually represent that qualitative aspect?

18           MR. NORTON: Absolutely not. We live in two  
19 kinds of worlds. We live in a physical and we live in a  
20 social world. And the physical world, we have science  
21 supported by math to help us come up with that. In the  
22 social world, we have ethics supported by literature,  
23 history, religion, art, that help us formulate a  
24 community.

25           And the collection of ethics legitimizes the

1 leadership of that community, and those are different.  
2 And so we need to respect that set of values that are  
3 being -- that people feel are being stepped on, I guess is  
4 the term.

5 Does that help you?

6 PANEL MEMBER SPANO: It does. I'm going to go  
7 back to one of your responses early on -- and let me see.  
8 You mentioned that you don't like to use of adjectives.  
9 It's not you --

10 MR. NORTON: That's right.

11 PANEL MEMBER SPANO: Can you elaborate on that a  
12 little bit? Is this particularly in response to your  
13 written communication skills?

14 MR. NORTON: In general, I tend to be low key.  
15 That sometimes doesn't work. Because I can be rational  
16 and sometimes I need to pound the desk to get my point  
17 across. That's not my normal accepted routine. And  
18 sometimes my wife agrees I occasionally get angry, but  
19 it's the exception. That's just not my style.

20 PANEL MEMBER SPANO: Okay. So how would you  
21 propose -- you're in an open meeting and you're trying to  
22 discuss some of the details of the reasons behind you  
23 justifying a map to, say, an angry public about how they  
24 strongly oppose the way you're reintroducing the lines.  
25 How do you communicate to them the details without using

1 some adjectives?

2 MR. NORTON: Well, I can use adjectives. But I  
3 use them sparingly. Because when you do that, they're  
4 more effective.

5 And I could be looked at as sort of a cold fish,  
6 but I'm not that, actually.

7 One issue is to listen to people who are  
8 impassioned, because they feel their values have been  
9 trounced upon, and they need to be able to speak that.  
10 And I need to be able to listen to it, but not being  
11 driven by it. And if I start adding my adjectives to  
12 their adjectives they would be laying on me, it just  
13 deteriorates the conversation.

14 And so again, I tend to follow the process. And  
15 so part of the process to me is public -- informing the  
16 public on what we've done and why we've done it. And part  
17 of it is, of course, the internet and other media.

18 But part of it is standing in front of people and  
19 saying this is what we have, guys. And we've done the  
20 best we can. These are our rules. Now you have an  
21 opportunity to vote against it if you don't like it. But  
22 hopefully you've seen us go through this process over the  
23 eight-month period -- or whatever it is. And so at some  
24 level, you've had an opportunity to participate in the  
25 conversation.

1           It goes back to my issue when I tried to merge  
2 two groups. Everybody had a voice. And again no one --  
3 not everyone was happy, because some jobs are changed and  
4 some careers are going to different directions. But all  
5 of them had the opportunity to contribute to the process.  
6 And at the end of every meeting, there was always going  
7 around individually one by one to make sure everybody was  
8 able to speak. And I think that's the best we can do.

9           PANEL MEMBER SPANO: Would you have trouble  
10 interpreting complex legal law criteria?

11           MR. NORTON: Yes. I've taken some classes, some  
12 business law and contract law and learned more about what  
13 I don't know than I'm willing to basically talk to someone  
14 who knows.

15           I realize the logic of legal issues. I've heard  
16 the term stare decisis and rules of law and I've seen the  
17 arguments. But I don't claim to once the technical people  
18 start arguing with each other to really claim that I know  
19 what they're talking about frankly.

20           And I tend to if I run into a contract problem,  
21 even though it looks like it's in English, I'll give it to  
22 an attorney to say is that really what it means. Because  
23 I don't know the case law. I don't know all the other  
24 history, whether it's Spanish law or French law or English  
25 law that is part of the argument. I just know I don't

1 know this. So it turn it over to somebody who does.

2 PANEL MEMBER SPANO: How do you feel -- how would  
3 you apply areas of complex law like the Voting Rights Act?  
4 How comfortable would you feel about doing that in your  
5 work? Because you're going to have to, as a Commissioner,  
6 apply certain criteria, different areas of the law,  
7 whether it's the constitution, VRA, or state regulations  
8 to the decisions of line drawing. Do you feel you're able  
9 to do that?

10 MR. NORTON: I think I am, as a non-attorney.

11 PANEL MEMBER SPANO: Have you done that in your  
12 experience?

13 MR. NORTON: Only with respect to unions working  
14 in federal government. There's certain things you talk to  
15 unions about. And I would ask an attorney to make sure  
16 that I didn't do something that was inappropriate.

17 But no, otherwise.

18 My view of the law in our society is like a flat  
19 table. It ignores you until you fall over the edge and  
20 then it comes at you with both feet. And I would look at  
21 an attorney to help at least set up a guardrail, that I  
22 would not necessarily deal with it.

23 In a practical sense, of course, the attorney --  
24 the guardrail would be a mile away from the edge and I  
25 have to accept and negotiate with an attorney to see how



1 close I can to leave the most room for maneuver.

2 PANEL MEMBER SPANO: Are you comfortable with  
3 making complex decisions, like redrawing the lines, that  
4 impact the state of California for the next ten years?

5 MR. NORTON: Yes.

6 PANEL MEMBER SPANO: There is a possibility that  
7 it could be legally scrutinized. Are you comfortable with  
8 that

9 MR. NORTON: As long as I'm not paying the  
10 attorneys fees.

11 PANEL MEMBER SPANO: The redistricting process is  
12 and applications is a very serious process --

13 MR. NORTON: Absolutely.

14 PANEL MEMBER SPANO: -- that requires certain  
15 skills that you do apply that law in all instances and it  
16 may create funny shapes for the boundaries. So it will  
17 have to be legally defensible. And there may be -- at  
18 times, your decisions will be challenged and either in  
19 public, in court, and you're clearly comfortable with  
20 that?

21 MR. NORTON: I expect it to be. I'm not -- I  
22 talked with my wife about even sitting here. And if she  
23 didn't support me on that, I wouldn't be here. But I  
24 expect it to be quite a whirlwind for almost a year.

25 PANEL MEMBER SPANO: What are your expectations

1 of this work and how long it is and demand? What are the  
2 expectations of the Commission's work and the time  
3 demands?

4 MR. NORTON: It would be significant. There's  
5 nothing I could do part time. I'm involved with other  
6 issues. But as I said, I tend to get focused. Other  
7 things disappear if I'm not working on it, I'm afraid.  
8 This particular issue would capture my focus just about.  
9 Other than my wife. I made a mistake like that before. I  
10 will never make it again.

11 PANEL MEMBER SPANO: How many minutes do I have?  
12 One minute.

13 Can you quickly tell me why you're impatient with  
14 routine and what kind of routine are you talking about?

15 MR. NORTON: Routine, administrative routine. If  
16 you think about it, if you're -- I'll use a metaphor. The  
17 county professional transaction people, and there are  
18 audit people. And they tend to be comfortable with doing,  
19 more or less, the same set of transactions. I don't see  
20 audit people doing that. They tend to be more global and  
21 they don't do the same thing twice in a row.

22 And the kind of people I've dealt with wouldn't  
23 like to do more than one or two iterations of anything.  
24 They want to go off and do something else. I'm sort of  
25 that way, too.

1           PANEL MEMBER SPANO: You don't like routine, but  
2 in that type of work, but if you had to, would you do it?

3           MR. NORTON: As I said, it's not my prerogative  
4 to do that. It's not my preferred alternative to do that.  
5 I could commit to doing whatever it takes for a period of  
6 time. If it were to be forever, then I wouldn't -- I  
7 would try to get someone else who likes that kind of work  
8 to get involved.

9           PANEL MEMBER SPANO: Thank you.

10          MS. NEVILLE: I have no questions.

11          So Ms. Spano, if you were -- were you done?

12          PANEL MEMBER SPANO: Why don't you go and I'll  
13 go.

14          MS. NEVILLE: I have no questions.

15          PANEL MEMBER SPANO: Let me gather my thoughts.

16          MS. NEVILLE: If Mr. Ahmadi, do you have a  
17 questions?

18          CHAIR AHMADI: Yes. I would appreciate that.

19          When you were discussing about the ugly districts  
20 with Ms. Spano, I just want to make sure that I  
21 understood. I believe what you were saying is that some  
22 districts may be looking ugly in terms of geometric shape  
23 of the district?

24          MR. NORTON: Yes.

25          CHAIR AHMADI: But so as long as they are in

1 compliance with the legal requirements, you can defend  
2 those and you like them?

3 MR. NORTON: Correct. But my preferred choice  
4 would be to not make ugly districts that are still in  
5 compliance. The compliance is the primary issue. You  
6 need to follow the law and the priorities that were set.  
7 So I wouldn't -- if there was a choice, I wouldn't fall to  
8 something that would less asymmetric.

9 CHAIR AHMADI: So your description of ugly is not  
10 necessarily because of the geometric shape? It's because  
11 when it does not represent --

12 MR. NORTON: Well, it has some distorted  
13 structure that only a computer can generate that would  
14 never exist in nature -- or maybe in an aesthetic sense.  
15 I don't play artist. But so if I'm going to present this  
16 to my neighbor and it sort of violates their sense of  
17 correctness, I need to justify that.

18 CHAIR AHMADI: Thank you so much.

19 PANEL MEMBER SPANO: Why don't we give Ms.  
20 Camacho, do you have a follow-up question?

21 VICE CHAIR CAMACHO: Not at this time, no.

22 PANEL MEMBER SPANO: Do you mind?

23 CHAIR AHMADI: I don't mind.

24 PANEL MEMBER SPANO: Thank you.

25 In your experience in the base realignment

1 closure, it was pretty much a military structure, right,  
2 and a decision making?

3 MR. NORTON: When I was inside?

4 PANEL MEMBER SPANO: Inside. And pretty much you  
5 do what you're told in the military. Pretty much. Tell  
6 me how -- outside the military, tell me how the steps you  
7 take to lead a group with -- strong divergent groups  
8 towards consensus.

9 MR. NORTON: Strong divergent -- the groups I've  
10 worked with for the base closure are all a strong group of  
11 people. They were leaders. But they shared the same  
12 value set. They disagreed in terms of tactics and human  
13 strategy. But again, we can go back to the same values.

14 I guess I have not had experience dealing with  
15 people in the collective area when the value set is this  
16 joint, you couldn't have a reasonable conversation. I've  
17 had strong people argue.

18 PANEL MEMBER SPANO: Can you tell me about that?

19 MR. NORTON: Okay. Whether, you know, I was to  
20 go back east or not. Okay. Whether I might inadvertently  
21 step on the toes of some politicians or not.

22 PANEL MEMBER SPANO: How do you resolve that?

23 MR. NORTON: I would.

24 PANEL MEMBER SPANO: I'm sorry.

25 MR. NORTON: If I thought it was necessary.

1           PANEL MEMBER SPANO: Is there any situations  
2 where you faced considerable disagreement among a group  
3 where you tried to resolve an issue?

4           MR. NORTON: In that sense, I orchestrated the  
5 conversation, but I wasn't a mediator, because the people  
6 there had the same thing at heart. So I've never been in  
7 that situation where a collection of people were there and  
8 didn't -- I mean, I had been on a grand jury. That's a  
9 selection of 19 citizens who come together. But they  
10 were -- already had the same value in the sense of the  
11 community, because they wanted to spend their time and  
12 serve. So I've never been in a situation where I've had a  
13 group of people where the values are so divergently they  
14 couldn't come to some --

15          PANEL MEMBER SPANO: You never had to bridge a  
16 group with strong opposing views and get them to common  
17 ground?

18          MR. NORTON: No. I tend to facilitate by talking  
19 to people and sometimes talking with them to the point  
20 where they want to throw me out of the room. But --

21          PANEL MEMBER SPANO: You just exhaust them with  
22 words, but no adjectives, right?

23          MR. NORTON: Well, but no. I wasn't able to sit  
24 and dominate a conversation and bring everybody together  
25 and they sing Kumbaya. It's not going to happen.

1 PANEL MEMBER SPANO: Thank you. I'm sorry,  
2 Nasir.

3 CHAIR AHMADI: It's okay.

4 PANEL MEMBER SPANO: That's it for me.

5 CHAIR AHMADI: If any other members, have a  
6 question, please. Mine is just a quick follow-up I want  
7 to make sure I understand.

8 Mr. Norton, you refer to category four, people  
9 are level four. What are one through three.

10 MR. NORTON: I tend to put things into  
11 categories. That's my style. Again, level one, people  
12 are who are for an issue like redistricting; those who are  
13 against it, and there are lots out there; those who don't  
14 know there is an issue; and those who know and don't care  
15 to participate in that conversation.

16 CHAIR AHMADI: Gotcha. Thank you. I have no  
17 more questions.

18 MS. NEVILLE: Mr. Norton, if you wish to make a  
19 closing statement, you have a little over five minutes.

20 MR. NORTON: I want to thank you for having me  
21 here. I got a free ticket to Sacramento. I can see the  
22 seriousness with which you're performing this and I can  
23 have a sense of the tiger you're riding and how you would  
24 be happy to get off that tiger. And I expect you probably  
25 at some level are probably somewhat addicted to it at the

1 same time. So I wish you luck and hopefully I'll be  
2 riding the tiger in the next couple of months.

3 MS. NEVILLE: Thank you for coming to see us. We  
4 will be back at 12:59.

5 (Thereupon the Panel recessed at 12:28 PM)

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